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EDITORIAL COMMENT

Declaring the government of Napa County, California, hopeless under the present system, a recent grand jury urged the appointment of a manager to run the county affairs. Comparing the county to an automobile without a driver, the grand jury recommended that a proved executive be given authority over all county offices.

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A judge who imposed a fine of twenty-five dollars upon a couple caught spooning in a park while their car was parked without lights, and released a speeder with a fine of three dollars, did not have a proper appreciation of his functions, according to Judge Levi M. Hall of Minneapolis, in an address before the annual Safety Congress at Chicago. It is impossible, continued Judge Hall, for the average police court judge to give proper attention to traffic cases. The situation calls for a separate traffic court with judges permanently assigned to it. The traffic judge thus becomes a specialist in this line of work and a real factor in the public safety movement.

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The sixteenth annual convention of the International City Managers' Association was held in Fort Worth, Texas, November 20 to 23. A feature of the program was a joint session of councilmen and managers, in which the proper interrelations between manager and council were brought out. Other topics included: government responsibility for public health, training for public administration after entry into the service, and the problems of city managers in large and small cities.

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The resubmission of the Pittsburgh metropolitan charter, defeated by the voters on June 25, stands about where it did before the petition to the state supreme court for a declaratory judgment as to whether the county commissioners were authorized to place the question again on the ballot. Our readers will recall that the common pleas court had ruled against the power of the commissioners to resubmit. The supreme court pointed out that the county commissioners had neither determined to submit the charter again nor refused to do so. For this reason it held that there was no controversy before the court, and in the absence of some showing of actual controversy no court has jurisdiction to grant relief.

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Believing that modern city noises are louder than they were in the days of horse cars, carts, and cobblestones, Health Commissioner Shirley W. Wynne has appointed a noise commission for New York City. The commission is made up of distinguished physicians, lawyers, and business men.

It is specifically charged with the following duties: (1) To make recommendations as to what is immediately possible under existing ordinances and laws for the alleviation of the noise nuisance. (2) The preparation of a complete classification of noises with specific measurements of principal city noises and a tabulation of intensity geographically arranged. (3) The preparation of a scientific statement of the effect of noise on human beings. (4) Recommendations as to what constitutes the border line between reasonable, inevitable noise and unreasonable, preventable noise. (5) A study of the methods of sound absorption in the constructing of buildings. (6) The drafting of any new legislation which may be necessary to control noise in New York City.

Commissioner Wynne fears that the noisiness of New York is responsible for an enormous drain of energy, even from those who are not acutely conscious of noise as a nuisance but who nevertheless are unconsciously exhausting themselves in resisting it.

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Municipal Election Results

After months spent in carefully drafting a charter and following an energetic campaign, the voters of New Rochelle, New York, adopted a city manager charter at the election on November 5. The vote was 5,530 to 3,700. The new plan goes into effect January 1, 1931.

On the same day St. Paul voters rejected a manager charter by a vote of 22,867 against 22,457 for the proposed change. The vote was thus 4,768 short of the 60 per cent necessary under the Minnesota constitution for the adoption of a new charter. The defeat is ascribed to a variety of reasons. The fact that there had been no serious scandal since 1914, when the present charter went into effect, undoubtedly led many to rest content with the form of government now in force.

In three large cities under the manager plan councilmanic elections resulted favorably to the cause of good government. In Cincinnati the Charter Committee secured six of the nine seats. This is the third time that the independent group has emerged victorious. A continuance of the high efficiency which the city has attained is guaranteed for two years more.

Elections to the Cleveland council have given that city the best council it has enjoyed since the introduction of the manager system; and probably mark the end, for the time being at least, of domination by Boss Maschke, the leader of the city Republican organization. Rochester, N. Y., also witnessed a victory for city manager interests. Three of the five councilmen-at-large elected were endorsed by the City Manager League. The campaign was bitterly fought between the League and the Republican organization. The four district councilmen, evenly divided between the two groups, hold over until January 1932. Consequently the balance of power is still with the charter supporters on a 5 to 4 alignment.

The mayoralty elections in New York, Detroit, Boston, Buffalo and Pittsburgh are reported in the Notes and Events Department of this issue.

New York state approved a constitutional amendment providing for veteran preference in the civil service of the state and cities, and another extending greater protection from legislative interference to the home rule counties of Westchester and Nassau if, as and when these counties see fit to adopt charters of their own.

After forty years of effort Ohio finally amended her state constitution to permit classification of property for

taxation. Her greatest impediment to tax reform has thus been removed.

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Replatting to Cure Past Mistakes

The purpose of replatting is to cure the mistakes made before the city was alive to the evils of poorly conceived subdivisions. A poorly designed street system may be an effective bar to the proper development of an area; the only way to remove such a curse is to abolish the old street plan in favor of a new one, before the area is built up and change becomes impossible except at terrific cost. In the United States, as the laws are framed, replatting can be done economically and effectively only when the owners voluntarily agree to throw their holdings into a common pool and receive back proportionate shares in the newly platted region. The method of zone condemnation is generally prohibitively expensive, since it involves the purchase of the land outright and resale to private holders. Furthermore in jurisdictions where excess condemnation does not obtain, zone condemnation appears out of the question for replatting purposes. Whether the American courts would view compulsory replatting as a legitimate exercise of the police power not bound by the limitations of eminent domain is doubtful.

The current issue of *Local Government Abroad* describes the procedure in Germany, where both compulsory and voluntary replatting rest on a secure legal base. There the law assumes that the redistribution of land is a matter of public interest if it will assist in the development of the area as building land. It is to be applied to land which is as yet mainly unbuilt and for which a city plan scheme has been approved. Individual plots already built upon may be excluded, wholly or in part.

The original Prussian law of 1902 applied only to Frankfort-on-the-Main; in 1918 it was made adoptive throughout Prussia. Since then the other German states have passed legislation incorporating similar principles.

The Prussian procedure permits all land which is to be redistributed to be pooled. All land needed for streets and public places is then deducted from the pool and vested in the city or commune. The remainder is then divided among the previous owners as nearly as possible in the same proportions as existed prior to the pooling. Each owner receives back a plot in as nearly as possible the same position as the one which he previously held.

Owners are entitled to money compensation for land reserved for streets and public places in excess of 35 or 40 per cent of the total area pooled. If the value of the reallocated plot is less than the plot of the same owner before pooling, the owner is entitled to monetary compensation. He also receives compensation if he suffers a loss by appropriation of buildings or destruction of special natural qualities. This compensation is paid from a "redistribution levy" assessed against owners whose new plots exceed their old holdings in value.

Action looking to replatting may be begun by the communal authority or by a majority of the owners if they possess more than one-half of the area to be redistributed. The proposal must be approved by the district committee. When approved, the head of the district appoints a redistribution committee which carries through the replatting. Their plan for redistribution must be approved by the district committee. Appeal from this committee to the courts is provided.

The German procedure contains ample safeguards against abuse. Sooner or later, American cities will come

to possess similar powers, as the scope and needs of city planning are more generally understood.

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Beneficial Results of New York's Stringent Subdivision Control

Adequate control of subdivisions has come to be recognized as indispensable to the execution of city plans. Enlightened self-interest leads most subdividers to follow the plan which the city has promulgated. But occasionally a real estate operator appears who will not abide by it and, rather than file a plat which would incur governmental disapproval, he sells land to unsuspecting purchasers by metes and bounds.

In 1926 and 1927 New York passed city and village planning laws under which municipalities can definitely control all plats and subdivisions under the police power of the state.[1] The legislative authorities of any city, village or town may establish an official map of streets and parks. The filing of plats without the written approval of the planning board is prohibited. But the law of New York does not stop here. It goes on to authorize denial of a permit for a building not served by a street on the official map or for a building in the bed of a mapped street. As in zoning, a board of appeals is empowered to make exceptions in special cases. No longer in New York state can the wildcat developer ignore a city plan regularly adopted by a municipal government.

To some these provisions doubtless seemed at the time of passage to be dangerous and unjustifiable as a reasonable exercise of the police power. What the courts' attitude would be was questioned by many. For these reasons all will be interested in the address delivered by George B. Ford before the New Jersey State League of Municipalities on September 26.

The New York city planning law, says Mr. Ford, is getting results. Every new subdivision in the nine municipalities which have availed themselves of the powers of the new law is conforming to future highway lines. Without undue hardship to anyone, building permits are being refused for proposed buildings in the beds of mapped streets. So far no property-owner has seemed to feel particularly damaged by the necessity of adhering to the official map. The municipality pays no imagined damages until it is ready physically to improve the highway and actually to take over the new land necessary to the improvement. Obviously, warns Mr. Ford, the official map must not be confiscatory and should be drawn up only after the most searching study of future needs.

Although the law has been in force for three and one-half years, there has been but one case under it in the courts. It has not been decided yet. Edward M. Bassett believes that the law will be sustained in accordance with the principles which support the zoning enabling acts.

The interesting part, concludes Mr. Ford, is that cities which adopt a comprehensive plan proceed to work out at the same time a physical and financial program of public improvements for many years ahead.

Several New Jersey interests are advocating the adoption of a similar law by the legislature of that state. Doubtless agitation for such measures is being carried on elsewhere. The story of New York's experience should prove reassuring and stimulating.

[1] See Frank B. Williams, "An Advance in Planning Legislation," NATIONAL MUNICIPAL REVIEW, Vol. XV, pp. 407–413.

MUNICIPAL GOVERNMENT IN SOVIET RUSSIA

I. BEFORE AND DURING THE REVOLUTION

BY BERTRAM W. MAXWELL
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A first-hand report on municipal developments in Soviet Russia. This month the author describes the changes brought by the revolution. Next month he will discuss the structure of the new city governments established by the soviets. :: :: :: :: :: ::

Russia is not a land of cities. About eighty-five per cent of the population lives by agricultural pursuits. Whereas in the United States one-fourth of the population lives in cities of over one hundred thousand inhabitants, less than one-sixteenth of the total population of the Soviet Union resides in urban centers of this size. But since the Bolshevik government depends largely on the support of the urban industrial class and emphasizes industrialization, the city in Russia has assumed an importance hitherto unknown in the life of the country.

To date, very little has been published in the United States on Russian city government before the World War or under the Soviet régime; this paper perforce, then, will have to limit itself to a survey of Russian municipal government in the decade following the establishment of the communistic state, with some brief attention to municipal history leading to the overthrow of the imperial and provisional governments and the establishment of the Soviet Union, deferring the discussion of details of structure and organization to the next article.

THE RUSSIAN CITY IN THE PRE-REVOLUTIONARY PERIOD

The Russian city was not given legal status until comparatively recent times. In 1758 Catherine II granted a charter bestowing upon the cities the rights of individuals before the law; and the privilege of taking part in the conduct of municipal affairs was extended to nearly the entire adult male civil population. Since this legislation was too far in advance of the general political and social conditions then prevailing in the Russian Empire, it was never carried out and soon became obsolete. In the years between 1862–1870 a series of ordinances was issued to reorganize municipal government with a view to granting the cities some degree of self-government.

Finally, in 1870 the so-called Municipal Act, modeled after the Prussian municipal ordinances, was promulgated. Under that act all citizens paying local taxes were granted the right to vote and to serve on municipal boards. The electorate was divided into three classes in accordance with taxes paid by them. A municipal council was created, the membership of which was elected by indirect vote. Theoretically the city government was supreme within the limits of its jurisdiction; practically, the control of municipal affairs was vested in a royally appointed governor who was assisted by a special board of municipal affairs.

In the years between 1870 and 1917

the central government tightened its grip on civic governments. In 1892 a municipal decree was issued which materially curtailed the jurisdiction of municipalities. The suffrage was henceforth confined to owners of real property; as a result, only about one per cent of the city population was qualified to take part in municipal elections. The mayors and members of municipal boards became the object of governmental scrutiny and were classified as imperial officials, subject to the jurisdiction of civil service courts. In striking contrast the powers of the appointed governor were increased; he received authority to suspend municipal ordinances which he deemed contrary to law or outside the jurisdiction of the city. Eventually the governor was placed in a position to exercise an absolute veto on municipal activity. In addition, the imperial minister of the interior could at any time suspend city ordinances which met with his disapproval. Such was the trend of all municipal legislation and attitude on the part of the central government up to the time of the overthrow of the autocratic régime in 1917. The short-lived provisional government introduced western European municipal practices, but five months after its inception it gave way to the Bolsheviks.[1]

THE SOVIET SYSTEM OF CITY GOVERNMENT

Bolshevik writers on municipal government and administration trace the Soviet system of city rule to the Revolution of 1905. In the month of May of that year the Soviet (Council) of Workers' Delegates, finding the authorities of Ivanovo-Voznesenks demoralized and helpless, took over the task of guarding public safety. In October of the same year, the workers of St. Petersburg also organized a soviet, but it proved to be of short duration. When the Revolution of February, 1917, overthrew the imperial government, the soviet of Petrograd was revived, and, having drawn into its numbers the soldiers, became not only the ruling authority of the city but practically the *de facto* government of the entire land, until the Provisional Government gathered enough strength to assert itself.[2]

Times were, however, too stirring and revolutionary; enthusiasm was running too high for the soviet to pay much attention to the rather prosaic task of city administration.[3] The Bolshevik war cry, "All power to the soviets," inspired the soviets to take over all possible authority. When the feeble and much harassed Provisional Government collapsed on October 25, 1917, the soviets found themselves theoretically in possession of all power in every branch of government.

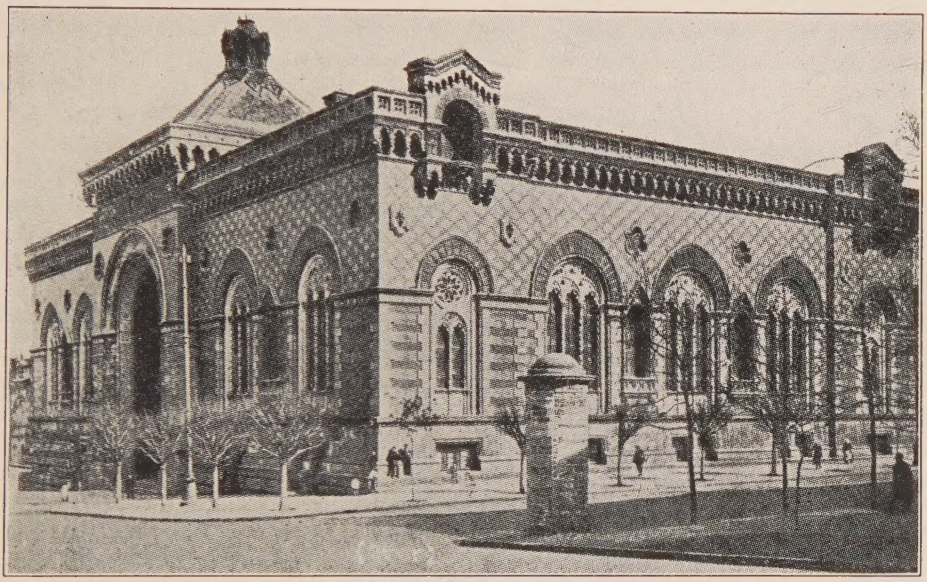
The task proved gigantic, and since the revolutionary spirit ran at even whiter heat than in February, the soviets did not seem to find time to settle down to the tedious task of constructive work. Hence the influence of the soviets in the administration of local affairs was negligible. The new government was inclined to leave municipal machinery intact, reserving to the soviets, however, the controlling power. Accordingly, in November, 1917, the Petrograd city *duma* (municipal council) was dissolved and a new election

[1] For a description of Russian municipal government and activities during the World War, see Astrov, Nicholas J., "Municipal Government and the All-Russian Union of Towns," in *The War and the Russian Government*, New Haven, 1929.

[2] Chugunov, S. J., *Gorodskiye Sovety*, pp. 7–9.

[3] Although in some cities, such as Cronstadt and Krasnoyarsk, the Soviets of Workers and Soldier Deputies became the actual ruling power.

was held. The middle and liberal classes abstained from voting in protest and thus permitted the Bolsheviks and the "left" Social Revolutionaries to obtain a large majority in the city *duma*. The local authorities, in those cities which submitted to the controlling influence of the soviets, were soon confronted with constant interference and meddling on the part of some members of the local soviets. Resistance was useless and appeals could only be directed to the local soviets. Frequently to end friction and misunderstanding the soviets simply dispersed the local authorities and took over the administration themselves. Unfortunately the soviets at that time had very little administrative experience; their traditions were not those of a governing class, but rather those of a national revolutionary organization, and as a result misrule and inefficiency were rife, often reacting disastrously upon city welfare. There was pronounced resentment on the part of the urban population to the new authority and it often expressed itself in passive opposition. As the fever of the revolution subsided, the soviets settled down to constructive work, the opposition died down, and eventually the soviets were accepted as the actual municipal authority. Yet up to the last part of 1917 there was considerable agitation in favor of organizing democratic municipal organs.



FORMER CHAMBER OF COMMERCE BUILDING OF ODESSA, RUSSIA; NOW MEETING PLACE OF ODESSA CITY SOVIET

Before the promulgation of the new soviet constitution in July, 1918, no uniform system of municipal government was to be found in Russia. The organization and functions of municipal organs differed in the various cities of the land. To be sure, the people's commissar of the interior issued from time to time decrees for the purpose of bringing about some standardization in municipal affairs, but not until the adoption of the constitution were these orders taken seriously. Every local soviet considered itself to be the highest

authority in a given territory, levying taxes and contributions, and independently organizing its system of administration. Some of these groups went so far as to order executions of opponents, without consulting the central authorities.[1]

CHANGES BROUGHT ABOUT BY THE SOVIET CONSTITUTION

With the adoption of the soviet constitution in July, 1918, a more orderly procedure in municipal administration was established. The fundamental law stipulated that the membership of the city soviet was to be composed of one delegate for each one thousand inhabitants, provided that there were no less than fifty and no more than one thousand delegates in a soviet.[2] The term of service of the individual delegate was fixed at three months. For the purpose of actual administration the city soviets were to elect an executive committee to be composed of one member for each fifty delegates; this committee, however, was not to be under three nor in excess of fifteen members.[3] The executive committee was responsible solely to the city soviet of delegates. A meeting of the soviet could be convoked upon the initiative of the executive committee or upon the demand of one-half of the members of the soviet. It was mandatory, in any case, to hold at least one meeting a week. Within the limits of its jurisdiction the city soviet was supreme in a given territory.[4] The designated general scope of work of the city soviets was as follows:

(1) To take all possible measures to carry out the decrees of the constituted authorities.

(2) To encourage the development of cultural and economic life in the community.

(3) To give decisions in affairs of a purely local character.

(4) To unify all soviet activities in a single territory.[5]

The city soviets were to organize various departments for the carrying out of administrative tasks, but there was no provision as to number or kind of departments the city soviets were to establish. Indeed these provisions were too vague and general, and left undecided the questions of competence and organization of city organs. Unfortunately, soon after the promulgation of the constitution, civil war broke out, bringing with it confusion and still further limiting and hindering the inexperienced local agencies in their attempt to build up orderly administrative machinery. Military authority was supreme and very little attention was paid to constitutional and legal provisions. It was a period of terrific struggle, famine and wretchedness. The entire land and especially the city was hungry and cold and thought very little of self-government. Municipal government practically ceased to exist.

From time to time, however, the central authorities endeavored to re-establish the city soviets. Thus as far back as 1919, the seventh All-Russian Congress of Soviets took measures to revitalize the urban soviets, issuing various instructions to that end, but no attention was paid to them. The eighth All-Russian Congress of Soviets, meeting in 1920, recommended that city soviets be organized in all urban settlements for the purpose of local administration, but two years elapsed before a special municipal ordinance

[1] Chugunov, S. J., *op. cit.*, pp. 16–17.

[2] This provision applied only to cities of at least 50,000 inhabitants. Smaller cities did not have to comply with this regulation.

[3] In Moscow and Petrograd the executive committee could number as many as 40 members.

[4] *Soviet Constitution*, Chapter 11, Articles 57–60.

[5] Chugunov, S. J., *op. cit.*, p. 19.

was passed by the All-Russian Central Executive Committee which changed in detail the municipal organization of previous enactments.[1]

The year 1922 marked the receding of the wave of militant and heroic communism, and the central authorities were in a position to demand and obtain some degree of coöperation from urban centers. The task, however, of bringing about order out of the chaos created by civil war and of laying the foundation for municipal traditions was, to say the least, extremely difficult.

It was not really until 1925 that the work of developing city organs began seriously. Soviet Russia was facing a tremendous and tedious task of resurrecting civic life and at the same time building municipal institutions based on revolutionary ideals. Yet in the few years of peace great advances have been made.

The cities are coming to life again. The débris of revolution and civil war is being cleared away; damaged streets and buildings are in the process of repair and new buildings and public playgrounds are springing up. Municipal enterprises of all kinds are encouraged and developed by city authorities. There is an attempt to interest the broad masses in actual city administration. Indeed, the places in municipal governmental agencies previously occupied by the well-born are now filled by men and women of the working class. City life in Russia is being born again under conditions hitherto unknown in the history of the world.

WISCONSIN "UNSHACKLES" HER CITIES

BY VINCENT LYNAGH
Milwaukee

Wisconsin cities, especially Milwaukee, suffered long from interference by the state legislature in matters of local concern. Finally in 1924 a constitutional home rule amendment was adopted and municipal freedom seemed secure. But court decisions and subsequent enabling legistion have robbed Milwaukee of its hard won victory. :: :: ::

A QUARTER of a century has elapsed since the elder La Follette disclosed his opinion, "It is a mistaken policy to encroach by state legislation upon local government where the subjects pertain so especially to local interests, and where the expense must be borne by local taxation." This communication to the 1903 legislature is supposed roughly to be the inception of the "home rule" movement in Wisconsin.

A twenty-year wrangle followed: Milwaukee *versus* the rest of the state. The 1911 and 1913 legislatures gave favorable sanction to a home rule constitutional amendment, which was shelved by an indifferent and hostile electorate in 1914 with a two to one vote. In 1915 and 1917 the amendment did not survive the legislature,

[1] Between 1922–28 the Union and the All-Russian Central Executive Committees were very much concerned with affairs of local government. During that time ordinances were issued which modified the provisions of 1922 as to detail of city rule. For a collection of resolutions and ordinances passed by various congresses of soviets and Union and All-Russian Central Executive Committees, see Michailov, G. S., *Mestnoe Sovetskoye Upravleniye*, Appendix, Parts I–III.

but the one of 1919, 1921, and 1923 emerged each time victorious. The 1919 gesture proved sterile because of some mistake in certification. In 1924 the people took their lives in their hands and approved the action of their legislature.

At the same time that Milwaukee civic associations were demanding home rule, " . . . a long-continued effort was made during successive legislatures by amendments to the general law to standardize the government of Wisconsin cities, and culminating in the general charter law" described by Justice Eschweiler in his dissenting opinion (209 N. W. 860). In 1921 the same legislature granted both requests by enacting the Uniform Charter Act just referred to, and also approving the home rule amendment. That there should be these two conflicting movements gaining ground side by side is not surprising when it is remembered that Milwaukee, a city of half a million, is seven times the size of the state's next largest city. Three-fourths of Wisconsin's population live in communities of less than 25,000 people. The state is essentially rural —one-third of the members of both 1929 houses gave their occupation as "Farmer." Thus it comes to pass that most of the time of each legislature is taken up with the weaving of schemes to further the interests of the rest of the state at the expense of Milwaukee, and, correlatively Milwaukee's interests are best served by resisting those encroachments. This is an old comedy with a long historical pedigree, and only deserves mention here to understand what follows.

EXCEPT MILWAUKEE, FEW CITIES HAVE USED HOME RULE

The compromises contained in the home rule enabling act, passed in 1925, typify the conflict between the rural and Milwaukee interests. The small cities and villages wished to minimize as much as possible the trouble incident to the passage of local charter legislation—they did not want to be bothered with local referendums or the designing of charters. Apathy was once more restored when common councils were empowered to pass charter ordinances, reserving to the electorate in each case, however, the right of a sixty-day referendum protest. Milwaukee felt that common councils could scarcely be trusted with such plenary powers. It, too, was placated with a provision which took the form of preventing the common council from legislating contrary to the will of the voter when such had been expressed at a local referendum.

The use which has been made of home rule during the four years of its operation is further evidence that the cities outside Milwaukee have little or no interest in the subject. Milwaukee has passed thirty-three charter ordinances, and one of them was subjected to a protest referendum. Exclusive of Milwaukee, seventeen cities out of the state's 143 have enacted a total of twenty-six charter ordinances. Ten of these have been employed to indulge the "great white way" complex. Their subject matter is ornamental street lighting. Of the remaining ordinances, one specifies a "through" street, another the payment for a spur railroad track, and yet another establishes for a city of 70,000 a budget system similar to Milwaukee's. This latter step was simply grotesque. The Milwaukee budget system was patterned after New York's board of estimate. It happened that the work of installing the system was carried through, in part at least, by some one who had been associated with the New York City board of estimate and apportionment. No proper regard

seems to have been given originally to the immense differences between the respective local situations, just as no regard was given now when another Wisconsin city, under home rule, followed blindly in the steps of Milwaukee.

In Milwaukee's employment of home rule, the practice of legislating in detail, characteristic of the present charter, has been adhered to faithfully. Perhaps the most significant local legislation is the removal of certain mill tax limitations set by the state legislature upon the expenditures of the city service commission, park board, library board, and several others. One ordinance sets forth vivid, descriptive regulations for the administration of day nurseries, all compact with instructions about rubber bed sheets, the quarantining of diapers, and other domestic intricacies. Independence Day, too, has been the subject of deliberation, and $25,000 is provided as the maximum amount which the city will contribute towards any public jollity. The council has not been remiss, either, in looking out for number one. They raised the annual compensation for their celebrations from $1,860 to $3,000, but a circuit judge took an acidulous view of such self-appraisement, holding that the charter ordinance was "wholly void and of no legal effect."

COURT WHITTLES AWAY HOME RULE GRANT

To understand the court decisions interpreting home rule, it is necessary to review the prior attempts made to restrict state interference in municipal affairs. Milwaukee's early generous financial subvention of the railroads and its eagerness to complete public works resulted in a virtually bankrupt municipality. From that time forth the state undertook to restrict the city's actions in a most detailed manner. So poor was the articulation effected between state supervision and local welfare that in 1874 Milwaukee found itself with 100,000 people and no water works. The state had forbidden the emission of any further securities by insisting that the then outstanding indebtedness be reduced to a specific amount. Even salaries of city employees were increased by the legislature without the knowledge of the common council. It is obvious from this that the quality of legislative intervention was both irritating and unreasonable, and, with the intention of reducing it to a minimum the constitution was amended (Nov. 1892, Sec. 31, Art. IV) to prevent the legislature from interfering with the charter of any city by private or local law, and the nature of future legislation for cities was restricted by Sec. 32, Art. IV, which reads: "The legislature shall provide general laws for the transaction of any business that may be prohibited by section thirty-one of this article, and all such laws shall be uniform in their operation throughout the state."

This obligated the legislature to resort to the expedient of "classification" if it were to continue its practice of municipal legislation. Accordingly cities were "classified." And the supreme court of Wisconsin construed "uniform" in Sec. 32, Art. IV (above) to mean "uniform within classes of cities." Thus, so far as Milwaukee was concerned, the constitutional amendment became inoperative because it is the only city rated as "first class."

In 1911 the legislature passed a law ". . . conferring powers of self-government on cities, and providing for charter conventions." (Chapter 476.) In the May of 1912 litigation arising out of this law reached the supreme court, specifically: "Mandamus pro-

ceedings to coerce the clerk of the city of Milwaukee to submit to its electors, under chapter 476, Laws of 1911, a proposed alteration of the city charter, . . ." This law was declared unconstitutional (137 N. W. 20; 149 Wis. 488), and the case possesses an importance today more derivable from the concurring opinion of Justice Timlin than from any of its contested aspects. He outlined the struggle those other states which had incorporated the home rule feature into their constitutions seemed to be having, the scope and extent of the ensuing litigation, and the inconclusive and unsatisfactory nature of the benefits which accrued.

When the present home rule constitutional amendment was drafted, opportunity was given to profit both by the experience following the 1892 amendment and the decision of Justice Timlin. The drafters say that the decision was in front of them so that they might avoid ". . . the constitutional and other difficulties he had foreseen." The amendment Sec. 3, Art. XI reads: "Cities and villages organized pursuant to state law . . . are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature."

Now, it has been the contention of home rule advocates that the phrase "such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village" effectually prevents the legislature from classifying cities, presumably because it abolishes the need for such classification, or because it says that the only legislation by which the cities can be affected is such as "of state-wide concern as shall with uniformity affect every city or every village." The attorney-general of Wisconsin concurred with this view, when, at the instance of Joint Resolution No. 36a he submitted his construction of the amendment (Feb. 18, 1925):

> The amendment read as a whole clearly indicates an intention to depart from the rule long established under sections 31 and 32 of Article IV of the constitution that cities may be classified, and that cities can exercise no powers beyond those specifically authorized by the legislature. The amendment provides not only that enactments of the legislature must be of state-wide concern and operate with uniformity but that those must affect every city or every village.

STATE *versus* LOCAL CONCERNS

The first home rule case related to education (Harbach *v.* the Mayor and Common Council, 206 N. W. 210). The city refused to accept a state law applying to *cities of the first class* which increased the mill tax for school repairs. Milwaukee's city attorney conceded that education was of state-wide concern, but contended that there must be some point where the matter of education became a subject of local administration. But the court said: "If the field of legislation upon the subject of education belongs to the state, it belongs to it in its entirety. If the cause of education is not a subject of municipal regulation, the municipality cannot touch it or interfere with it in the slightest degree. . . ." Classification of cities in matters within the state legislative field was also to continue as before.

A change in Milwaukee's building heights regulation made by the common council, the next case, was first decided to be a matter of state-wide concern. The court on its own motion reversed its opinion stating: "Although the height of buildings in cities is

of state-wide concern under the rule that health and safety regulations are for the people of the community at large, yet the height of buildings in a particular community is a problem and affair more directly concerning the inhabitants of that community than the casual visitor or the other parts of the state, and is therefore a local affair of that community within the amendment." This constitutes Wisconsin's most liberal home rule decision.

The Pabst Corporation *v.* City of Milwaukee (April 6, 1926, 208 N. W. 493) involved the Wisconsin type of public utility regulation, and, indirectly, the subject of home rule. The court decided that the Milwaukee water department came under the Public Utilities Act, and was therefore subject to the state railroad commission. This is distinctly counter to the trend of regulation of municipal plants. According to *The American City*, June, 1929, p. 130, thirty-five states have no regulation of municipal plants, five subject them to full regulation of the same type as private water companies, and eight have limited regulation by the state public regulatory body.

Finally the superior case (219 N. W. 858; April 3, 1928) disposed of the hopes of the "non-classificationists." It decided that the legislature will continue in the future as it always has in the past to enact legislation ". . . affecting only classes of cities. This is a plain recognition of the continuing right of the legislature to classify cities for the purpose of legislation in accordance with settled practice. But enactments of the legislature which do not affect all cities uniformly are to be subordinate to legislation of cities within their constitutional field. When cities under their constitutional power enact legislation, that legislation supplants in that city all enactments of the legislature with which it comes in conflict unless such enactments of the legislature affect all cities with uniformity."

AMENDMENT TO ENABLING ACT GIVES COUP DE GRACE TO HOME RULE

A City Charter League composed of citizens had been organized in March, 1927, to draft a comprehensive home rule charter suited to the city's needs. For two years the Charter Drafting Committee met almost weekly. The result was a proportional representation, near-strong-mayor charter which was planned for submission to the voters this spring. The Citizens' Bureau's staff had served with this group as consultants. The present charter was revised in 1874, and last compiled in 1914, when it amounted to seven hundred pages. One of the city's leading attorneys describes its proportions by saying: "No man knows or would attempt to say what laws do and what laws do not apply to Milwaukee."

The home rule advocates were to receive one more disappointment. The 1929 Wisconsin legislature has sweated its way to a belated conclusion. Among the statutes of legislative import to cities, it has passed a nine-line amendment to the enabling act (66.001 Stats.) which baldly states that each charter ordinance shall "specifically designate" what laws it supersedes (Ch. 267, Laws of 1929). The support for this political checkmate was provided "under cover of night and cloud," and it was only after the governor had signed the bill that its source was revealed—a subsequent committee hearing at Madison rent the veil to reveal the Milwaukee common council.

The legislature shoved an impossible task upon the city by thus interfering in an involved local situation; it asks the performance of a labor which it refused to undertake itself in 1921, when the Uniform Charter Law was

passed. This law reads: "All special charters for cities of the second, third, and fourth classes are hereby repealed . . ." (Ch. 62.02: Stats.). No vested interest was powerful enough to persuade the legislature to tie its own hands by applying "specific designation" to the clutter of archaic rubbish which 62.02 junked. The City Charter League of Milwaukee made a detailed examination of nineteen "home rule" charters and failed to find one that attempted to repeal specifically all charter laws conflicting with the new charter. Wisconsin's originality in this connection confers a dubious distinction upon us.

To summarize: The function of local government has been complicated. The state legislature can interfere, when the subject matter is of "statewide concern," by passing classified legislation just as much as it ever did. Milwaukee will be singled out as much in the future as in the past because it is the solitary "first class" city in the state. In the field of local concern, classified legislation is also to continue, although the municipality by the exercise of an unflagging vigilance can make such an interference a bootless venture. But the plague of intermeddling can continue, and it commits the cities to the wasteful and negative task of continuously watching the legislature. The court interpretations of home rule have tended to circumscribe within very narrow limits the field of local concern. Milwaukee, the only city apparently interested in designing a home rule charter, must first secure the repeal of, or an amendment to, the "specific designation" requirement passed by the 1929 legislature, before its citizens can vote on the charter revision.

ZONING CAN HELP THE FARMER

BY GEORGE B. FORD

Technical Advisory Corporation, New York

Farmers living in small communities are subject to similar possibilities of injury by improper land uses as are their city brethren. How they may protect themselves is illustrated by suggested specifications governing wayside stands. :: :: :: :: :: :: ::

If there is anybody in the world who is used to looking out for himself it is the farmer. Seemingly nothing can harm him in his isolation. But is this true? Is he as independent of his neighbors as he often likes to think he is?

WHAT CAN HAPPEN WITHOUT ZONING

For example, there has been nothing to prevent a man coming in and locating on the next parcel a cement, lime or gypsum plant, a sandpaper or emery plant, an acid or chemical plant, or any other type of plant that might spread its dust, fumes and smoke over the surrounding farms ruining the crops and poisoning the farm animals. In the past nothing that the farmer could do could prevent such an outrage. He was helpless.

Yesterday there was nothing to prevent a low-class subdivision with narrow streets and 20 to 25 foot lots, squatting anywhere in the town, spoiling any possible market for prop-

erty all around it—a blight on the district. Such a development would tend to bring with it a lawless element, especially lawless children, who, by their depredation, might easily become a great pest. The farmer has had no means whatsoever of preventing such a subdivider from injuring the community.

Yesterday there was nothing to prevent locating a hot-dog stand, filling station, garage repair shop, a roadside inn, or even a speakeasy on the next plot. Any one of these things is liable to settle at any time among good old homes, completely spoiling their surroundings for residential use and utterly blocking any possible sale of nearby farm property for any decent development.

Yesterday there was nothing to prevent a man putting up a farmer's wayside stand or a billboard right out on the street line and up against his neighbor's nice front yard, thereby completely spoiling the neighbor's property. And yet even today despite the fact that that sort of thing is going on continuously to the despair of the neighbors, farmers have felt that they were helpless and that they must yield to the inevitable.

Now we know it is not true. Fortunately the farmer no longer has to put up with his neighbor's whims and selfishness. The law now gives him full protection against the harmful use of neighboring property. This protection is found in zoning.

Zoning, where properly worked out, need not harm the farmer in any way. At the same time it can give him a very real protection against the harmful use of neighboring property. Zoning can preserve a high-class neighborhood by preventing industry, warehousing, business, filling stations and public garages from invading a good farming residential district. It can keep the farming community a delightful place to live in by preventing any given house from being turned into a tenement.

Zoning can prevent a neighbor from locating anything that is a nuisance or is unhealthy, or distinctly unpleasant to his neighbors, within too short a distance of the lot lines. At the same time zoning must permit anything that anyone would normally want to have on the farm such as barns, chicken yards, outbuildings, loading platforms, and even wayside stands provided that they are all so located on the property that they will not harm the neighbors.

SPECIFICATIONS FOR WAYSIDE STANDS

Now that billboards are being excluded generally from residential and farming sections in the nearly 1,000 cities and towns already zoned in the United States, probably the hardest remaining problem to solve in farm zoning is what to do with the wayside stand. Obviously, the farmer's stand has come to stay. If properly conducted, it is a legitimate source of income and it provides a useful occupation for the women and children of the farmer's family. The question is how it can be so controlled that it can operate effectively and economically and at the same time not harm the neighbors.

To that end the following provisions governing farmers' wayside stands are recommended:

1. They should be allowed only on state and county highways. (There would rarely be enough business on a town road to warrant a stand.)

2. A stand should be allowed only on plots containing one acre or more. (This would be no hardship in the case of a real farm, but at least it would serve to prevent the location of wayside stands in front of any house in a subdivision.)

3. A wayside stand should be limited to the sale of agricultural products exclusively. (Farmers' stands should not be allowed to sell soft drinks, smoking materials or candy. If they are allowed to sell these things it immediately turns

the highway into a business district. In the average small town, where there are ample business districts to take care of growth, turning 12 or 15 miles of highways into business districts is far worse than no protection at all, for it would encourage a development of the highway roadsides that would be a disgrace to any community.)

4. The wayside stand should be served only by members of the family residing on the same plot. (This would keep it from becoming too commercial.)

5. The wayside stand should set back at least 10 feet from the front property line. (This would allow vehicles to drive in off the roadway, thereby making it nicer for the client and preventing the stopping vehicles from cluttering traffic.)

6. The wayside stand should be located at least 50 feet away from any neighboring lot line. (This is essential if the wayside stand is not to damage the neighbor.)

7. Advertising signs should be limited to two or three in number, and should not exceed some 12 square feet in size. (This prevents the signs from becoming too blatant, and if all have to observe the same rule it works no hardship on anyone.)

8. The outside of the wayside stand and its surroundings should be kept in order and no litter allowed to accumulate. (This is in the interest of health and fire danger.)

9. No automobile gas, oil, or garage service should be allowed in connection with the wayside stand. (This again is essential if the wayside stand is not to be confused with other business.)

Zoning would require the farmer, as a good citizen, to give up virtually nothing that he would normally want. On the other hand, it would give him a very real protection that he could not buy at any price.

THE DEMOCRATIC PARTY IN MAINE[1]

BY LANE W. LANCASTER
Wesleyan University

"Thirty-two state central committeemen, a few score town councillors, an occasional mayor, a sprinkling of rustic selectmen and assessors, and several thousand hereditary voters without a program and almost without a hope—such is the party of Jefferson in the Pine Tree State."

THE uncompromising Republicanism of the state of Maine is of interest to the student of politics if for no other reason but that he is amazed at the survival of any Democratic opposition at all. Almost uninterrupted possession of power for more than seventy years has put the majority party in possession of nearly all the patronage in the state so that there are left for the Democrats only the gnarled and puckering windfalls of the political Sugar Plum Tree. In spite of this unrelenting exclusion from the good things of public life a faithful remnant of Democrats still lingers on, and answering the "Why?" of the inquisitive observer is an interesting vacation sport. But to answer it requires some knowledge of Maine's history and the temper of her people.

PROHIBITION AND REPUBLICAN STRENGTH

The fall of the Democratic party to its present low estate is due to the persistence of several forces. The first

[1] For assistance in the preparation of this article the author is indebted to the Hon. Frank E. Morey, of Lewiston, former speaker of the Maine house of representatives and long a Democratic leader in the state.

of these is the state's prohibition policy. This policy dates from the so-called "Maine Law" sponsored by Neal Dow when he was mayor of Portland and adopted originally by the legislature in 1851. At that date the party struggle in Maine was between Whigs and Democrats, the Democrats usually winning. Prior to 1880 the governor and state officers were chosen annually. In twenty-seven of the thirty contests prior to 1851 the Democrats had secured control of the state government. In the 'fifties the Whigs in Maine suffered the same eclipse which overtook them elsewhere, and by 1856 the party had almost ceased to figure in the election returns, its place being taken by the newly organized Republicans who won their first state contest with the election of Hannibal Hamlin as governor. The Republicans were quick to make the cause of prohibition their own, and circumstances have made them the party of the "Drys" ever since. The Democrats have as consistently been in opposition to prohibition and on the occasions when victory seemed possible have vigorously urged a reopening of the question. Thus in 1855 a Democratic governor was chosen by the legislature (there being no popular majority) and the Maine Law repealed. The next election, however, was favorable to the Republicans and the law was reënacted. Democratic opposition to the dry law was largely instrumental in bringing about a political revolution. From 1855 until the present only four Democrats have been chosen governor, and of these only two received a majority vote of the people.

At the present time prohibition cannot be said to be a live issue in any sense. By a constitutional amendment adopted in 1884 the question may be said to have been laid permanently at rest. Only once since that date has it been revived. At the state election in 1910 the Democrats were successful in gaining control of all branches of the state government and immediately resubmitted the amendment of 1884. Prohibition was retained by the narrow margin of 758 votes in a total poll of over 120,000. Due to the Progressive defection the Republicans lost the gubernatorial election of 1914, but the make-up of the legislature was not such as to make it possible to reopen the question. While the Democrats have continued to be aggressively wet, interest in the liquor question cannot be said to be great in the party as a whole. As a matter of fact the wet views of Governor Smith drove from the party, for the time being at least, many of its ablest leaders, including two former candidates for governor.[1]

WOMEN GO REPUBLICAN

There can be little doubt also that the coming of woman suffrage was the *coup de grâce* to Democratic hopes. For a number of years prior to 1920 the two leading parties were by no means unevenly matched, Republican pluralities in the state elections from 1906 to 1918 only once exceeding ten thousand. The change at the 1920 and succeeding elections has been startling. Republican majorities have been staggering, and a study of the election returns indicates that the new voters became Republican in far greater numbers than would have been expected on a priori grounds. There is no way of proving it, but keen observers in both parties unite in agreeing that the women have "gone Republican" to save prohibition. At all events there seems little

[1] The most talked-of defection was that of William R. Pattangall, familiarly known as "Pat," now a justice of the Supreme Judicial Court of Maine, but long an outstanding leader of the party and its candidate for governor in 1920 and 1924.

doubt that the Women's Christian Temperance Union has been powerful out of all proportion to its rather small membership (5,000 members in 110 auxiliary unions), and its influence has been uniformly exerted in the Republican cause.

Another influence which is largely on the side of the dry Republican party is the Grange. Roughly 65 per cent of the population is rural, and the Patrons of Husbandry have maintained their organization in every section of the state. There are at present 455 subordinate granges with a total membership of 59,000. Habits of church-going are well fixed among the rural population, and the influence of the Methodist, Baptist and Congregational clergy is strong among them. It may not be without significance in this connection that the prohibition amendment to the state constitution specifically excepts cider from the ban upon alcoholic liquors. Among the *cognoscenti* much is said of the sovereign qualities of cider at haying time, and it is just possible that the ruling agricultural class is satisfied to have both its prohibition and its cider, however much the former blessing may irk the mill hand in the cities.

THE TARIFF

A second factor favoring Republican domination has been the protective tariff. Support for the Republican dogma is found in both the rural and urban portions of the population. In the cities the chief industries are in the protected fields of cotton, woolen, shoe and paper manufacturing. While the influence of the owners and managers of such industries is in some communities neutralized by the workers, it is, nevertheless, strong in the state at large, as is attested by the political honors bestowed upon business men. The case does not stand much differently in the rural sections of the state. In the prosperous Aroostook district, for example, and indeed in all those sections bordering upon the Dominion, Canadian competition with Maine farm products is a direct threat at the farmer's prosperity. The interest in protection which makes him a Republican in national affairs, also makes it very difficult to support Democrats even for local offices where the tariff is, of course, not an issue. In Aroostook County, which is heavily Republican, the only Democratic towns are found to be those in which the French-speaking element is strong. This element, for reasons that will be mentioned later, leans towards the Democracy.

Finally, since nothing succeeds like success, the Republican party has been more successful than their opponents in recruiting new voters. Long possession by the majority of the political power of the state has operated to close the doors of public life to all not members of the party. Not only is this true, but the uninterrupted success of the Republicans has resulted in concentrating the most able political leadership of the state in that party. Since the coming of woman suffrage the Democrats probably put forth their maximum strength in 1926 when the state ticket was beaten by 20,000. This compares with a normal Republican majority of about 40,000. It is probably correct to say that if both parties got every voter to the polls the irreducible Republican majority at present would be about 20,000.

DEMOCRATS STRONGEST AMONG FOREIGN-BORN

But the story of Democratic failure cannot be told entirely in terms of Republican success. There are affirmative reasons for the persistence of party loyalty. The main strength of

the party is found in half a dozen cities of the state where the foreign element of the population is large. The foreign-born inhabitants constitute but 14 per cent of the total population of the state —slightly over 100,000 out of 768,000 according to the last census. More than half of these live in places called urban. Sixty-nine per cent of those of foreign birth are Canadians, and half of these are French-speaking. Since there has long been a movement of population from Quebec and eastern Canada into Maine the total number of this racial stock is considerably larger than the figures given above. The only other racial elements of appreciable size are the Irish and the English. Other groups are at present negligible, although there has been a tendency in recent years for southern and eastern Europeans to come into the state and take up the less desirable farm land.

For reasons which are not always clear, the Irish and the French-Canadians are Democrats. The most reasonable explanations of this fact seem to be two. In the first place, the great influx of these people came at a time when the Democratic party was fighting for its life and eager to welcome recruits. Clever Democratic leaders in the mill towns lost no time in adding the newcomers to their rolls. The Republicans, more securely in the saddle, seem to have missed their opportunity. It seems also true that the bulk of Canadian immigrants when at home were Liberals and found it easy to attach themselves to an American party in whose profession of faith they saw, or thought they saw, a resemblance to the principles of Canadian Liberalism. The patronage available in a few towns and cities and the tendency of party allegiance to become hereditary has kept this element in the party. The Irish, likewise, marshalled by adroit leaders of their own race, joined the party of the "common people" and have remained true to it. In recent years these two groups have undoubtedly been influenced in their party allegiance by the well-known attitude of their church on prohibition.

The party, however, is not entirely an urban one. Here and there, even in the rural towns of the state, may be found patriarchal adherents of Jeffersonian Democracy. These ancients have, in many a town and school district, valiantly led the losing fight against state control of local affairs, thus exemplifying the cardinal principle of the founder, and have saved a remnant from falling victim to the seductive call of Republican success. While these men are a fast-dwindling body they have without doubt been largely responsible for strengthening the hereditary allegiance to Democracy which is almost entirely responsible for the continued existence of the party in the rural parts of the state.

More mundane but substantial reasons why the party continues to do business are to be found in the control of a few urban communities. Lewiston, the second city of the state in population (31,791 in 1920), and Androscoggin County in which it is located, are regularly Democratic in local affairs, and the legislative delegation from that county is usually about half Democratic. A number of other cities are either normally Democratic or at least occasionally so. Among these may be mentioned Augusta and Waterville, which are narrowly Democratic about half the time; Bath, Belfast and Brunswick, where the party has a chance; Eastport, which is occasionally Democratic, and Biddeford, which is usually so. Outside Androscoggin County, however, rural government is almost universally controlled by the Republicans.

When it comes to the conduct of the business of the state the party is almost without influence. In the legislature the Democrats never have members enough to offer a real opposition with a distinctive program and point of view. The laws of the state make very little provision for minority representation on state boards and commissions and here, as elsewhere, the bounty of the dominant party is the payment for quiescence and of no advantage to the minority. There does not exist in the state a single Democratic newspaper, though an occasional independent journal (probably of the Mr. Dooley type of "indipindince") espouses for a time an issue supported by the Democrats. The sources of income to the party are extremely meager, its membership including few persons of substance and its campaign funds being collected in small amounts from the rank and file and from interested local leaders and officeholders. In spite of the zeal of some individual leaders, canvassing the state is surrounded with difficulties which could only be surmounted by the use of more "soft soap" than is ever available.

THE POWER ISSUE CUTS PARTY LINES

If there is little to fight for in the way of patronage there is even less occasion for a struggle over issues. Since the practical disappearance of prohibition as a real issue in state campaigns the matter of chief interest to the state has been the question of the export of water power. Such export is at present forbidden by the terms of the so-called Fernald law passed in 1909. Since that date agitation has continued, on the one hand for the retention of the law, and on the other for its modification. This has, however, not been a party question, although it is perhaps true that the Democrats have been a shade more opposed to export than the Republicans. At the 1929 session of the legislature the question was referred to the voters for decision in September of that year in the form of a law permitting the export of surplus power after the companies had made reasonable extensions of their service into the rural districts of the state. The proposed modification of the Fernald law was suggested out of deference to the Grange, and it is probably true that the official Democratic attitude against export in the 1928 state election was adopted with an eye on the voting strength of the organized farmers. On the whole, however, it is difficult to tell a Democrat from a Republican on this issue, and the law was defeated at the polls.

The absence of concrete issues, however, does not prevent the politics of the state from being interesting, not to say confused. Within recent years the party struggle has been complicated by such factors as the Ku Klux Klan, the demands of the Grange for the extension of electric power to the farms, the activities of the power lobby, and the crusading of the W. C. T. U. Most of the forces represented by these groups cut across party lines, and their existence accounts for the great seriousness with which the people of the state take their politics. If anything, however, the Republicans profit from the alarums and excursions in the current political scene. To this there is possibly one exception, and in it lies the one pale hope of the Democracy. The Ku Klux Klan is recruited almost entirely from the Republican ranks and therefore is a disturbing element in the majority party. So far as it now has a political leader it is in the person of ex-Governor Ralph O. Brewster. Brewster was the unsuccessful candidate in the Republican primary of 1928 for the nomination for the United States Senate.

Though badly beaten by Senator Frederick Hale, leader of the Republican organization in the state, Brewster is by no means out of politics and is already campaigning for the nomination for the seat now held by Senator Gould, whose retirement is expected following his recent pleasurable though (politically) dangerous experiments with unfermented though fermentable grape juice. The former governor had a creditable administration, is a ready and effective speaker, and an adroit manager, and may be in a position to cause the Hale machine trouble. Since the latter organization has plans for the senatorship which do not cast Brewster for the leading rôle, there are some who predict that the 1930 primaries may be the prelude to a split in the Republican party. Out of such an embarrassment of the enemy the Democrats might snatch a momentary advantage. Undoubtedly a few dream of such a consummation. But with most of the cash and nearly all the cleverness on the side of the machine, the observer is inclined to regard this as highly improbable. Thirty-two state central committeemen, a few score town councillors, an occasional mayor, a sprinkling of rustic selectmen and assessors, and several thousand hereditary voters without a program and almost without a hope—such is the party of Jefferson in the Pine Tree State.

PITTSBURGH REËLECTS MAYOR KLINE

BY RALPH S. BOOTS
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On November 5 Pittsburgh reëlected its present mayor for a second four-year term. The real fight was in the Republican primary, with Candidate Richard K. Martin as the protagonist of the reform element. Grand-jury revelations of vice and corruption under the Kline administration and charges of election fraud featured the primary campaign. :: :: :: :: :: :: :: :: ::

In 1925 the Pittsburgh Republican organization took Charles H. Kline from the common pleas bench and made him mayor. In the election campaign he expressed some reform ideas and talked about making the city a model of civic purity.

Since Kline's election things have gone more or less awry. A professional crime investigator acting for the Citizens' League, which was in turn fostered by the Ministerial Association, exposed alleged gambling joints and speakeasies as a hunting dog flushes birds in a good game country. Later a federal grand jury indicted nearly two hundred persons under the liquor law and uncovered a supposed bootleg ring. The slot-machine "king" served a short federal sentence and wandered off to Canada. One of the mayor's police magistrates was convicted under the income-tax law. The *Post* estimated graft values at perhaps $5,000,000 a year. More recently the *Post-Gazette* counted the sixty-ninth gang murder within four years. Signs of public uneasiness and resentment began to appear.

On May 11, without awaiting the powwowing of party leaders, James F. Malone, president of the council,

announced his candidacy for the Republican nomination for mayor to succeed Kline. The latter followed on June 29 without, however, having been accepted by the "big three"—County Chairman Joseph Armstrong (county commissioner), Max Leslie (state senator), and W. L. Mellon (former state chairman).

With both Malone and Kline in the running, there seemed to be a good opportunity for an independent candidate. So at the request of the betterment groups Judge Richard K. Martin, appointed to the court of common pleas by Governor Pinchot and one of the three judges to break the organization slate of nine in 1927, announced his candidacy for the nomination on July 16.

Councilman Malone had already denounced the Kline administration unmercifully: "Organized vice runs rampant. . . . No man with any trace of frankness will deny that Pittsburgh is infected with the cancer of racketeering." Malone attacked especially the police department and promised continuous law enforcement, promotion on merit, and honest civil service administration. Judge Martin seconded this criticism, but added that both of his opponents were only factional leaders of the old gang and that the pot was calling the kettle black. The Fort Pitt Lodge of the Fraternal Order of Police denied Malone's charges, pointing out that he had not discovered the terrible conditions until after he had become a candidate, that Martin had made the same attack upon the county detective force when he was running for the district attorney nomination in 1923, and that two grand juries had indicted only eighteen members of the force.

THE "BIG THREE" DIVIDED

The "big three" of the county Republican organization conferred. Secretary of the Treasury Andrew W. Mellon, in town for a brief visit, spent some time with his nephew before one of the conferences. No action was taken; at any rate, none was made public. Harmony had disappeared. Later, W. L. Mellon announced his neutrality. Max Leslie supported Malone; and Armstrong supported Kline: "I'll be for Charlie, and . . . every boy and girl working for me." Armstrong and Leslie had apparently coöperated for years. It is rumored that Armstrong's determination to bring out James J. Davis for the state governorship next year alienated Leslie.

Both Kline and Malone tried to appear "regular." The chairman of Kline's campaign committee, incidentally head of the city civil service commission, claimed twenty-four ward chairmen, twenty-one vice-chairmen (there are thirty-one wards in the city), and 95 per cent of the organization forces for Kline. In answer to the assertions that the people on the city pay roll were for him, the mayor, who had earned the sobriquet "Bread and Butter Charlie," replied: "I hope so. I have been a fellow employee of the city. I am pleased to be thought well of by my fellows in the service and to know that they wish me to continue as their leader."

Judge James C. Gray, in supporting Martin, asserted that for a generation the "municipal administrations forced upon us have prostrated themselves to factional and personal political purposes. The first aim of a mayor has been to build a personal political machine."

Both Kline and Malone accused Martin of hypocrisy in assuming the virtue of "independence." Especially did the latter maintain that Martin had sought and obtained the support of machine politicians in his previous campaigns for public office. Kline's

camp insisted that Martin, sitting three times in criminal court since his election to the bench, could have ordered a grand jury investigation of the city administration, and should have done so if conditions had been as he now described them.

THE CAMPAIGN ARGUMENTS—FRAUD CHARGES

While the subject matter of the campaign was confined to legitimate municipal affairs, no candidate advanced very far if at all into the field of the concrete, or indeed the fundamental. Kline stood for the advancement of Pittsburgh's prosperity, the acquisition of new industries, and a "readjustment of revenue" to relieve real estate. Martin's campaign was mainly negative, as was perhaps his strongest course. He condemned the recent increase in the tax rate, and attributed the defeat of the metropolitan charter to distrust of Pittsburgh's political leadership, "resting upon protected crime, election frauds, and high taxation." Malone promised to "stabilize" expenditures, secure full value for city outlay, adhere strictly to a budget system, introduce sound business principles, and promote playgrounds and recreation.

Just as the battle was warming up nicely, came the explosion of assessment and registration frauds. The Election Reform Committee of the Bar Association demanded and secured a grand jury investigation. A detective employed by Malone alleged that hundreds had registered from vacant lots, parking areas, and unoccupied houses. Just before the assessment period closed on September 4, from twenty to twenty-five thousand voters were added to the assessment lists from sheets bearing the names or initials of Kline lieutenants. The tax board said it was customary at such a time to accept the names brought in without the requirement of certificates. Whereupon the collector of delinquent taxes reported that he had refused tax receipts to nearly five thousand persons whose names had been recorded in three assessment books at the solicitation of Malone's campaign chairman, the county register of wills. The names had apparently been recorded by an employee of the county commissioners' office who seems to have had no authority to make assessments at all and who, the assessor of delinquent taxes maintained, was away from the office when the names were recorded. Malone's chairman tried to secure court action on the ground that these persons were refused assessment because they were unfriendly towards Kline. Investigation seemed to show that the persons whose names were on these books were at least bona fide residents.

The court, upon a petition filed by the Bar Association, stated that it had no jurisdiction over the registration commission or the election boards, but ruled that assessments in the twenty-six contested books were null and void. But the registration commission could strike names off only after a hearing, and a purging of registration lists would require weeks or months. The court finally decided that if a registered voter was challenged before an election board, and it was shown that a tax receipt based on the illegal books had been used by him, then the election board could refuse a ballot. The county commissioners dutifully appropriated $10,000 and later $15,000 more to investigate the fraudulent assessments and correct the lists. Then the chairman of the board sent a letter to the election officers warning them against efforts by unauthorized persons to prevent registered voters from receiving ballots.

THE PRIMARY RESULTS

At the primary Kline received 72,000 votes, Martin 48,000, and Malone 47,000; carrying twenty-one, eight, and two wards, respectively. It seems almost certain that if Martin had not run, Malone would have been elected, although it is doubtful whether Martin could have defeated Kline alone. As it turned out, however, the split was one of the independent vote rather than of the organization vote. Malone declared that a vote for Martin was a vote for Kline. It was asserted by leaders in Malone's following that friends of the Kline administration were active in inducing friends of Judge Martin to urge him to make the race. This, of course, could be true without involving Martin in any double-dealing.

There was practically no disorder in the primary although the ballots were stolen from one polling place.

There was some talk of an independent candidate for mayor in the election, but it amounted to nothing. Malone supported Kline, although he had said, "I wouldn't be mixed up with the last administration for a dozen mayor's jobs."

The grand jury has handed down a presentment of about the strength of weak dishwater which may be briefly summarized thus: There isn't much wrong after all. Nobody has violated the law much. Four members of the tax board are concerned only with drawing their salaries. Fraud was disclosed in the issuance of tax receipts.

Many of the five hundred witnesses examined withheld information and attempted to evade the truth. The law should be amended and obeyed.

The Bar Association Committee will press for another grand jury.

THE ELECTION

Thomas A. Dunn, business man and former president of the chamber of commerce, was the unopposed Democratic candidate for the nomination. He ran also on the Good Government ticket, apparently to attract Republican voters whose party loyalty might interfere with their marking a ballot for a Democrat. He conducted a dignified and vigorous campaign, but failed to strike the imagination of the electorate. Those who disliked the Republican nominee seemed disposed not to vote at all rather than to vote for Mr. Dunn. Probably a sickly hope was a large factor here, and doubtless reasonably so, but it nevertheless rendered the success of the organization all the more assured. Dunn predicted that if 160,000 votes were cast, he would be elected.

The campaign speeches of Mayor Kline ran largely along the following lines: "Whatever others may tell you, the simple issue will be to decide whether they prefer the Democratic or Republican party. . . . Is it honest for the Democratic candidate to plead with Republican voters to violate the oath which they took on registration day, when they raised their hands to God and declared, 'I am a Republican?'"

On November 5, Kline received approximately 80,000 votes and Dunn 40,000. Their combined vote fell about 47,000 short of the number cast in the Republican primary.

The registration commission had eliminated about 1,500 names from the register by election day, and found a liberal sprinkling of apparently fictitious names in the controlled wards, the phantom possessors of which had cast ballots at the primary. Most of the persons adjudged illegally registered by the court presumably voted in the general election.

COMPARATIVE TAX RATES OF 235 CITIES, 1929

BY C. E. RIGHTOR
Detroit Bureau of Governmental Research

HERE is presented in condensed form a statement of the tax rates upon property as levied in 1929, for all cities over 30,000 population in the United States and Canada so far as available. This is the seventh tabulation of its kind, the form of presentation being unchanged from that of recent years, with which the readers of the REVIEW are already acquainted.

The objective of the compilation is primarily a single one—to indicate the total tax rate per $1,000 on assessed property. In presenting this index, however, it is obvious that certain other pertinent data must be presented for each city, which can be presented here only in summary form. Further, comparison with the tabulations of preceding years makes possible conclusions as to the trend of taxes.

For those who wish the minutiæ, reference must be had to such publications as "Financial Statistics of Cities," compiled annually by the Bureau of the Census. It may be added that the number of annual reports of cities making available intelligible information relative to finances and taxation is growing with the higher caliber of public officials assuming the direction of fiscal affairs.

The cities are listed in the order of population by the five census groups, and then the Canadian cities also in order of population. The population estimates of the Census Bureau as at July 1, 1928, are used, the Bureau not having issued its estimates for 1929; in the few cases where official estimates are not available, local estimates are accepted. It is, of course, obvious that these estimates do not cover unusual conditions such as the temporary population of a resort city like Atlantic City, or the added population by reason of recent annexations, as reported for some cities. For this reason per capita comparisons may be made fairly only when specific information respecting each city is had.

The total assessed valuation is next reported, with the respective percentages of realty and personalty. The tax rates are reported separately by purposes, and total.

At first blush it would seem a simple matter to report the total of all tax rates, expressed in dollars and cents per $1,000 of assessed valuation, levied upon each parcel of property in any city. The fact is, however, that numerous circumstances enter to make the problem a complicated one. A tax rate is the resultant of a tax budget and an assessed valuation; an inclusive tax rate is the resultant of several budgets and one or more valuations. It is found that the number of taxing units varies widely, and sometimes the basis of assessment for each is independently fixed; properties in a single city may pay at varying rates; the rate is not separated by purposes, but is instead a levy in gross amount after all credits are deducted from the budget total, etc.

These different principles and practices limit the value of the figures and their use for comparative purposes. So far as possible, the data are adjusted to facilitate comparisons, but in many

instances reference to the footnotes is essential for a clearer picture.

The total rate and its division by purposes ignores the varying practice relative to uniformity in basis of assessment. The legal basis of assessment in all states is not invariably 100 per cent of true or market value, however, and so it becomes necessary to adjust the total rate to a uniform 100 per cent basis for all cities, in order that a comparison between cities may be made. This is done in the column "Adjusted tax rate."

Analysis of the uniform 100 per cent tax rate column—"Adjusted tax rate"—discloses a range in the total rate from $80.14 per $1,000 assessed valuation for Tacoma to $14.14 for Lancaster. For the Canadian cities the range is from $41.00 for Victoria to $23.96 for Montreal. This column shows an average of the rate for all cities of $33.45. The average rate for 237 cities reported in 1928 was $33.39. This indicates a gradually increasing burden upon property for tax purposes, and merely continues the trend which these tabulations have indicated for the past several years.

Of thirteen cities in Group I, comparable 1929 with 1928, for example, it is found that seven increased their tax rate, for an average of $1.06 per $1,000; five cities decreased, for an average of 37 cents; and one city had no change in rate. Of ten cities in Group II, three cities increased, for an average of 64 cents; four decreased, averaging 94 cents; and three reported no change.

For fourteen Canadian cities, similarly comparable, five increased, for an average of $3.66; eight decreased, averaging $1.00; and one city reported no change.

It is generally recognized that the legal basis of assessment—predominantly 100 per cent of true or market value—cannot be realized in actual practice by assessing officials. When it is desired to compare the actual tax burden—as opposed merely to the tax rate—in these cities, therefore, it is necessary to revise the tax rate reported upon a uniform basis according to the local assessing practice. This readjustment is reported in the last column, and of course is based merely upon the best estimate which can be made. In some cities, as stated last year, the ratio of assessed to true valuation has been carefully worked out through scientific reappraisal studies.

The range in rates upon such readjusted basis is found to be from $40.07 for Tacoma to $12.02 for Lancaster. For the Canadian cities, similarly, the range is from $33.50 for Hamilton to $17.97 for Montreal. The average for all cities is $24.03. This compares with $24.07, the average of the cities in 1928. Thus, indications are that the relative tax burden is tending to decrease, or at least remain stationary, even though the average rate was slightly higher.

The trend of the readjusted tax rate, for thirteen cities in Group I, comparable this year with last, is indicated by the fact that seven reported an increase in the rate, five a reduction, and one city, no change. For Group II, three cities increased, five decreased, and two had no rate change. Of fourteen Canadian cities, four reported an advance in total readjusted rate, nine, a reduction, and one no change.

Until cities generally give more attention to the problem of determining the ratio of assessed to true value, exact information relative to the tax burden will remain a mystery. The tax rate alone is not an acceptable gauge. There is hope in this field, however, and instances are multiplying as evidence that light is being sought.

The latest available report of the Census Bureau, "Financial Statistics of Cities: 1926," presents detailed data for 250 cities. For 146 cities for which comparative data since 1903 are available, it is found that the general property tax constituted, in 1903, 61.4 per cent of all net revenue receipts, and that this has increased, in 1926, to 65.7 per cent. Additional sources, in 1926, included other taxes, 5.8 per cent, and special assessments, 7.2 per cent. These figures, together with the increase in taxes, account for the nation-wide interest being manifested in the subject of property taxation, and a desire to compare the burden in various cities.

Indicative of that interest is the activity of the Chamber of Commerce of the United States, which, through its finance department, is suggesting to its local member chambers throughout the country the value of business participating in government. This directional work includes the publication, during the past eighteen months, of an invaluable series of reports relating to local and state fiscal, taxation and budget problems. In its monthly publication, "The Public Dollar," special mention is made of local developments in tax inquiries and economies. Further, through subcommittees, study is being given to best practices in financial administration.

Another evidence is the number of official and non-official commissions in various states which are undertaking extensive inquiries into the subject of state and local taxation—notably, Arkansas, Ohio, New Mexico, Massachusetts, and Michigan, to name only a few. It seems probable that before these inquiries are successfully concluded, the sound recommendations of the able committee of the National Tax Association, promulgated ten years ago, must come to be more universally applied. These recommendations, it will be recalled, were for a sensible combination of a personal income tax, a tangible property tax, and a business tax.

It would seem that, to measure the burden of taxation in our cities, a knowledge is needed of the relation between taxation and the production of wealth in each city. The Citizens' Research Institute of Canada recently reported, for that dominion, that net production from all Canadian sources was increasing faster than taxation for all purposes—"The proportion of net production which taxation consumes has decreased yearly since 1922 and now stands at 17.26 per cent compared with 20 per cent in the former year. This decreasing ratio is an important factor in Canada's economic progress." This report discloses also that provincial taxation is increasing more rapidly than dominion and municipal levies. Such facts deserve earnest consideration.

Requests were sent to 286 cities in the United States and 18 cities in Canada. The voluntary coöperation of those who made the tabulation possible through replying to the questionnaire will be appreciated by all readers. It may be assumed that there will be much interest in a similar compilation when the 1930 census figures are available.

COMPARATIVE TAX RATES OF 235 CITIES OVER 30,000 FOR 1929

Compiled by the Detroit Bureau of Governmental Research, Inc.

From Data Furnished by Members of Governmental Research Association, City Officials, and Chambers of Commerce

	Census July 1, 1928	Assessed valuation	Per cent		City fiscal year begins	Date of collection of city tax	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
Group I Population 500,000 and over															
1. New York, N. Y.[1]	6,017,500	$17,445,731,435	98	2	Jan. 1	May 1 Nov. 1	$20.34	$ 4.70	$....	$ .46*	$25.50	100	$25.50	91	$23.21
2. Chicago, Ill.[2]	3,157,400	4,250,437,799	81	19	Jan. 1	Jan. 2	25.00	15.20	5.30	3.00	48.50	100	48.50	40	19.40
3. Philadelphia, Pa.[3]	2,064,200	4,664,263,590	73	27	Jan. 1	Jan. 25	19.85	9.00	....	....	28.85	100	28.85	90	25.97
4. Detroit, Mich.	1,378,900	3,681,781,130	82	18	July 1	July 15 Dec. 1	14.35	6.30	3.55	2.25	26.45	100	26.45	80	21.16
5. Los Angeles, Calif.[4]	1,330,000	1,876,277,195	96	4	July 1	Dec. 1 Apr. 1	17.70	16.10	8.80	....	42.60	100	42.60	50	21.30
6. Cleveland, Ohio[5]	1,010,300	1,995,627,250	68	32	Jan. 1	Jan. 1 July 1	10.69	10.64	3.72	.25	25.30	100	25.30	100	25.30
7. St. Louis, Mo.	848,100	1,255,335,000	85	15	Apr. 10	Nov. 1	16.20	8.60	....	1.40	26.20	100	26.20	70	18.34
8. Baltimore, Md.[6]	830,400	2,041,283,328	57	43	Jan. 1	Jan. 1	18.27	5.53	....	2.57	26.37	100	26.37	85	22.42
9. Boston, Mass.	799,200	1,953,231,000	92	8	Jan. 1	Sept. 1	15.54	8.66	1.80	2.00	28.00	100	28.00	90	25.20
10. Pittsburgh, Pa.[7]	673,800	1,132,000,000	100	..	Jan. 1	Jan. 1	18.83	11.50	7.38	....	37.71	100	37.71	85	32.05
11. San Francisco, Calif.[8]	585,300	1,196,384,989	68	32	July 1	Oct. 21 Jan. 13	28.94	10.46	....	....	39.40	100	39.40	38	15.00
12. Buffalo, N. Y.	555,800	1,085,722,230	99	1	July 1	July 1 Dec. 1	18.56	10.84	4.09	.72	34.21	100	34.21	78	26.64
13. Washington, D. C.[9]	552,000	1,241,597,285	91	9	July 1	Sept. 1 Mar. 1	11.00	6.00*	....	....	17.00	100	17.00	90	15.30
14. Milwaukee, Wis.	544,200	944,157,658	84	16	Jan. 1	Dec. 15	14.43	11.62	5.33	.58	31.96	100	31.96	75	23.97
Group II Population 300,000 to 500,000															
15. Newark, N. J.	473,600	909,841,743	78	22	Jan. 1	June 1 Dec. 1	19.33	8.74	5.64	4.29	38.00	100	38.00	100	38.00
16. Minneapolis, Minn.[10]	455,900	322,640,406	85	15	Jan. 1	Jan. 1 June 1	39.70	21.85	7.35	5.29	74.19	38	28.20	90	25.38
17. New Orleans, La.	429,400	(not reporting)													
18. Cincinnati, Ohio	413,700	1,086,622,460	72	28	Jan. 1	Dec. 1 June 1	9.40	7.59	4.36	.25	21.60	100	21.60	90	*19.44
19. Kansas City, Mo.[11]	391,000	488,298,890	73	17	May 1	June 1	13.00	11.50	5.10	1.30	30.90	100	30.90	55	17.10
20. Seattle, Wash.[12]	383,200	297,355,154	79	21	Jan. 1	Mar. 1	38.57	13 75	13.20	10.50	76.02	50	38.01	48	18.23
21. Indianapolis, Ind.	382,100	672,689,970	66	34	Jan. 1	Jan. 1 July 1	11.95	9.60	3.15	2.30	27.00	100	27.00	80	21.60
22. Portland, Ore.[13]	340,000	342,202,000	87	13	Dec. 1	May 5 Nov. 5	22.05	17.18	5.17	5.60	50.00	100	50.00	54	27.00

23. Louisville, Ky.[14]	329,400	$147,699,850	80	20	Sept. 1	Jan. 20	$15 70	$6 30	$3 20*	$4 20*	$29 10*	100	$29.40	80	$23.52
24. Rochester, N. Y.[15]	328,200	637,290,600	100		Jan. 1	Jan. 1 July 1	14 05	11 67	6 47		32 19	100	32 19	76	24.40
25. Jersey City, N. J.	324,700	(not reporting)													
26. Toledo, Ohio	313,200	593,063,020	71	29	Jan. 1	June Dec.	11 77	9 08	4 90	25	26 00	100	26.00	80	20 80
Group III Population 100,000 to 300,000															
27. Columbus, Ohio	299,000	601,748,840	77	23	Jan. 1	Dec. 20 June 20	8 18	9 05	4 02	25	21 80	100	21.80	75	16.35
28. Denver, Colo.[16]	294,200	448,014,315	70	30	Jan. 1	Jan. 1	10 42	13 95	4 27	3 56	32 20	100	32.20	80	25.76
29. Providence, R. I.[17]	286,300	659,525,312	61	39	Oct. 1	Oct. 1	16 71	6 73		06	23 50	100	23.50	100	23 50
30. Oakland, Calif.[18]	274,100	270,094,991	87	13	July 1	Sept. 1	25 50	23 35	10 75		59 60	50	29.80	100	29.80
31. St. Paul, Minn.[11]	260,000	182,752,027	82	18	Jan. 1	Jan. 1	31 26	16 84	15 24	5 29	71 63	38	27.22	80	21 80
32. Atlanta, Ga.	255,100	398,000,000	75	25	Jan. 1	May July Sept.	8 10	6 60*	11 00	5 00	31 00	100	31.00	70	21.70
33. Akron, Ohio	255,000	401,539,460	70	30	Jan. 1	Dec. 20 June 20	11 15	11 40	4 00	25	26 80	100	26.80	70	18.76
34. Omaha, Nebr.	222,800	354,987,096	71	29	Jan. 1	May 1	12 35	13 00	4 20	2 10	31 95	100	31.95	60	19 17
35. Birmingham, Ala.	222,400	232,130,915	81	19	Sept. 1	Oct. 1	11 50	6 50	11 50	6 50	36 00	60	21 60	70	15.12
36. San Antonio, Texas	218,100	230,352,680	75	25	June 1	Apr. 1	19 70	8 10	7 70	6 80	42 30	100	42.30	75	31.72
37. Dallas, Texas	217,800	(not reporting)													
38. Syracuse, N. Y.	199,300	(not reporting)													
39. Worcester, Mass.	197,600	341,509,350	89	11	Dec. 1	Oct. 10	19.45	6 72*	1 20	1 03	28 40	100	28.40	85	24.15
40. Richmond, Va.[19]	194,400	262,536,680*	93	7	Feb. 1	June 1 Nov. 1	16.00	7 50	....		23 50	100	23 50	67	15.65
41. Memphis, Tenn.	190,200	264,382,134	88	12	Jan. 1	July 1	16 00	6.50	9 80	2 00	34 30	100	34.30	67	22.85
42. New Haven, Conn.	187,900	331,357,682	87	13	Jan. 1	Mar. 1 Sept. 1	13 00	10 00	.33	.67	24 00	100	24.00	100	24.00
43. Dayton, Ohio[20]	184,500	347,277,780	76	24	Jan. 1	Dec. 1 June 1	10 18	10 56	3.41	.25	24 40	100	24.40	75	18.30
44. Norfolk, Va.	184,200	177,296,007	91	9	Jan. 1	July 1 Nov. 1	19 40	9.70*	.		29.10	100	29.10	57	16.60
45. Youngstown, Ohio	174,200	369,699,130	65	35	Jan. 1	Feb. 15 Aug. 15	7 23	12.65	2 80	.25	22 93	100	22.93	80	18 34
46. Hartford, Conn.	172,300	362,657,016	88	12	Apr. 1	July 1	11.86	11.74	31	71	24 62	100	24.62	80	19.70
47. Houston, Texas	171,000	(not reporting)													
48. Fort Worth, Texas	170,600	172,473,111	75	25	Oct. 1	Oct. 1	16.60	10 00	9.00	6 80	42.40	100	42.40	55	23 35
49. Tulsa, Okla.	170,500	136,936,678	85	15	July 1	Jan. 1	20.50	18.90	8 30	1.50	49 20	100	49.20	50	24.60
50. Grand Rapids, Mich.	164,200	273,632,046	75	25	Apr. 1	July 1	14.39	13.21	3 29	2 81	33 64	100	33 64	80	27 00
51. Bridgeport, Conn.	160,000	264,289,000	80	20	Apr. 1	Apr. 1 Sept. 1	18.79	8.90*	.27	81	28 80	100	28.80	80	23 04
52. Miami, Fla.[21]	156,700	296,011,940	97	3	July 1	Nov. 1	11.60	8.00	15.40	5.70	40.70	50	20.35	100	20.35
53. Des Moines, Iowa[22]	151,900	186,892,000	85	15	Apr. 1	Mar. 1 Sept. 1	14.91	15 71	6 55	2.25	39 42	100	39.42	75	29.60
54. Springfield, Mass.	149,800	(not reporting)													
55. Flint, Mich.	148,800	204,068,350	79	21	Mar. 1	July 1 Dec. 1	14.85	16 30	5.98	3.37	40.50	100	40.50	70	28.35
56. Oklahoma City, Okla.	148,000	139,250,370	85	15	July 1	Jan. 1	18.56	19.24	6.92	3 50	48.22	100	48.22	45	21.70
57. Paterson, N. J.	144,900	(not reporting)													
58. Scranton, Pa.[7]	144,700	126,754,730	100	..	Jan. 1	Jan. 1	17.30	19 00	10 50	...	46.80	100	46.80	50	23.40
59. Jacksonville, Fla.	140,700	(not reporting)													
60. Nashville, Tenn.	139,600	174,612,000	75	25	Jan. 1	Aug. 1	18.50	3.50	9.50	2 00	33.50	100	33.50	75	25.15

	Census July 1, 1928	Assessed valuation	Per cent		City fiscal year begins	Date of collection of city tax	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
61. Trenton, N. J.	139,000	(not reporting)													
62. Salt Lake City, Utah	138,000	(not reporting)													
63. Camden, N. J.	135,400	$212,703,684	86	14	Jan. 1	June 1 Dec. 1	$14.21	$7.97	$5.31	$4.31	$31.80	100	$31.80	70	$22.26
64. Erie, Pa.	130,000	148,147,877	100	..	Jan. 1	Mar. 1	13.20	14.00	7.00	....	34.20	100	34.20	70	23.94
65. Wilmington, Del.[23]	128,500	147,235,425	100	..	July 1	July 1	15.80	2.20	8.00	....	26.00	100	26.00	85	22.10
66. Cambridge, Mass.	125,800	188,456,300	89	11	Apr. 1	Oct. 15	23.20	7.56	1.03	.91	32.70	100	32.70	100	32.70
67. Fall River, Mass.[24]	124,300	156,347,000	74	26	Jan. 1	Oct. 1	21.06	13.32*	1.21	1.21	36.80	100	36.80	90	33.12
68. Yonkers, N. Y.	121,300	328,828,530	99	1	Jan. 1	Jan. 1	14.75	10.03	4.28	.59	29.65	100	29.65	87	25.80
69. Albany, N. Y.[15]	120,400	227,983,110	100	..	Jan. 1	Jan. 1	21.30	5.40*	5.30	....	32.00	100	32.00	68	21.80
70. San Diego, Calif.	119,700	165,358,972	92	8	July 1	Oct. 20 Apr. 20	22.70	18.20	10.60	....	51.50	100	51.50	40	20.60
71. New Bedford, Mass.	119,040	187,653,250	75	25	Dec. 1	Oct. 1	21.17	6.97	.96	.90	30.00	100	30.00	85	25.50
72. Kansas City, Kan.[25]	118,300	137,988,009	81	19	Jan. 1	Nov. 1	12.70	16.00	4.50	2.10	35.30	100	35.30	60	21.18
73. El Paso, Texas	117,800	103,847,400	80	20	Mar. 1	Jan. 1	11.50	8.50	10.00	6.40	36.40	100	36.40	70	25.50
74. Duluth, Minn.[10]	116,800	80,839,171	75	25*	Jan. 1	Jan. 1	27.81	32.34	12.16	....	77.60	38	29.50	80	23.60
75. Canton, Ohio	116,800	229,982,820	67	33	July 1	June 20 Dec. 20	7.73	10.25	3.27	.25	21.50	100	21.50	100	21.50
76. Elizabeth, N. J.	116,000	163,300,568	88	12	Jan. 1	June 1 Dec. 1	13.23	9.33	5.94	4.30	32.80	100	32.80	100	32.80
77. Reading, Pa.	115,400	168,500,000	100	..	Jan. 1	Mar. 1	10.00	12.00	4.00	....	26.00	100	26.00	60	15.60
78. Tampa, Fla.	113,400	270,861,012	89	11	June 1	Oct.	17.47	5.00	5.80	2.85	31.12	100	31.12	50	15.56
79. Lowell, Mass.[26]	111,000	130,226,530	86	14	Jan. 1	Oct. 15	26.97	....	1.39	1.24	29.60	100	29.60	100	29.60
80. Tacoma, Wash.[27]	110,500	67,471,078	76	24	Jan. 1	Mar. 15	30.99	14.50	23.31	11.34	80.14	100	80.14	50	40.07
81. Spokane, Wash.	109,100	86,622,459	75	25	Jan. 1	Feb.	21.75	14.40	12.44	11.41	60.00	50	30.00	86	25.80
82. Long Beach, Calif.	108,000	200,361,578	83	17	July 1	Oct. Jan.	16.00	18.30	8.80	....	43.10	100	43.10	50	21.55
83. Lynn, Mass.	105,500	137,626,705	88	12	Jan. 1	Nov. 1	15.07	9.22	1.84	2.07	28.20	100	28.20	100	28.20
84. Knoxville, Tenn.	105,400	155,000,000	89	11	Oct. 1	July 10	17.00	4.00	9.60	2.00	32.60	100	32.60	80	26.10
85. Fort Wayne, Ind.	105,300	224,023,390	70	30	Jan. 1	May Nov.	7.72	8.46	4.51	2.30	22.40	100	22.40	70	15.70
86. Utica, N. Y.	104,200	136,225,000	99	1	Jan. 1	Aug. 12	19.88	9.49	6.63	.84	36.84	100	36.84	65	23.95
87. Somerville, Mass.	102,700	118,840,900	95	5	Jan. 1	Oct. 15	16.53	8.11	1.10	2.36	28.10	100	28.10	80	22.50
88. Waterbury, Conn.	100,000	(not reporting)													
Group IV Population 50,000 to 100,000															
89. Savannah, Ga.	99,900	78,300,000	75	25	Jan. 1	Apr. July Oct.	23.00	10.00	12.50	5.00	50.50	100	50.50	70	35.35
90. Hamtramck, Mich.	99,800	119,898,520	31	69	July 1	July 15	11.60	9.50	3.39	2.26	26.75	100	26.75	100	26.75
91. Allentown, Pa.	99,400	93,954,760	100	..	Jan. 1	Mar. 1	12.40	15.00	4.00	....	31.40	100	31.40	50	15.70
92. Wichita, Kan.	99,300	138,759,226	76	24*	Oct. 15	Nov. June	10.83	17.00	5.04	4.03	36.90	100	36.90	66	24.40
93. Evansville, Ind.	98,100	139,444,640	70	30	Jan. 1	May Nov.	14.30	10.50	4.10	2.90	31.80	100	31.80	100	31.80

94. Bayonne, N. J.	95,300	$164,994,138	78	22	Jan. 1	April 1	$18.70	$10.07	$7.04	$4.23	$40.04	100	$40.04	67	$27.00
95. Lawrence, Mass.	93,500	125,236,575	75	25	Jan. 1	Oct. 1	13.91	9.26	1.93	1.30	26.40	100	26.40	100	26.40
96. Schenectady, N. Y.	93,300	196,278,252	100	..	Jan. 1	Jan. 1 July 1	13.06	9.75	2.98	.92	26.71	100	26.71	95	25.40
97. Wilkes-Barre, Pa.	91,900	112,836,116	95	5	Jan.	Mar. 1	17.00	16.00	8.90	....	41.90	100	41.90	65	27.20
98. Gary, Ind.	89,100	169,237,265	66	34	Jan. 1	May Nov.	12.30	15.00	4.60	2.30	34.20	100	34.20	90	30.78
99. Harrisburg, Pa.	86,900	(not reporting)													
100. Highland Park, Mich.	86,400	135,591,200	74	26	July 1	July 15	11.12	11.40	2.83	2.25	27.60	100	27.60	80	22.08
101. South Bend, Ind.	86,100	(not reporting)													
102. Manchester, N. H.	85,700	113,819,151	68	32	Apr. 1	Apr. 1	13.30	7.17	2.25	2.75	25.50	100	25.50	100	25.50
103. Peoria, Ill.[28]	84,500	92,497,573	80	20	Jan. 1	Jan. 1	19.90	13.75	4.13	3.00	40.07	100	40.07	40	16.03
104. Rockford, Ill.	82,800	96,055,000	72	28	Jan. 1	Mar. 15	17.30	13.80	4.80	3.00	38.90	100	38.90	60	23.34
105. Charlotte, N. C.	82,100	(not reporting)													
106. Shreveport, La.[29]	81,300	122,030,750	68	32	Jan. 1	Dec. 1	11.00	7.50	6.90	5.75	31.15	100	31.15	55	17.15
107. Sioux City, Iowa.[22]	80,000	100,651,308	84	16	Apr.	Mar. Sept.	11.95	16.30	4.50	2.25	35.00	100	35.00	60	21.00
108. Winston-Salem, N. C.	80,000	(not reporting)													
109. Lansing, Mich.	79,600	154,947,525	75	25	May 1	July	11.96	9.51	3.93	2.64	28.04	100	28.04	80	22.43
110. Little Rock, Ark.	79,200	60,447,825	76	24	Jan. 1	Jan. 10	7.42	18.00	8.50	8.70	42.62	50	21.31	60	12.78
111. Portland, Me.	78,600	117,711,525	75	25	Jan. 1	Oct. 1	17.00*	7.27*	1.42	6.31	32.00	100	32.00	66	21.20
112. St. Joseph, Mo.	78,500	81,238,700	73	27	Apr. 15	May 1	12.50	12.25	7.45	1.30	33.50	100	33.50	65	21.80
113. Charleston, S. C.[15]	75,900	23,055,478	73	27	Jan. 1	May 15 July 15 Oct. 15	58.00	14.25	28.00	....	100.25	42	42.10	71	29.90
114. Sacramento, Calif.	75,700	105,706,990	87	13	Jan. 1	Oct. 20	20.82	13.20	21.35	....	55.37	100	55.37	72	39.80
115. Saginaw, Mich.	75,600	(not reporting)													
116. Binghamton, N. Y.[15]	74,800	121,940,619	100	..	Jan. 1	Jan. 1 July 1	15.58	10.39	6.43	....	32.40	100	32.40	84	27.20
117. Racine, Wis.	74,400	108,327,950	84	16	Jan. 1	Jan.	5.00	12.58	3.46	.73	21.77	100	21.77	75	16.30
118. Chester, Pa.	74,200	73,783,787	100	..	Jan. 7	Mar. 1	11.50	11.00	4.19	....	26.69	100	26.69	70	18.70
119. East St. Louis, Ill.	74,000	51,652,232	65	35	Jan. 1	May 1	19.15	20.00	6.20	3.00	48.35	100	48.35	40	19.35
120. Johnstown, Pa.	73,700	85,638,095	80	20	Jan. 1	Mar. 1	14.00	17.00	6.75	....	37.75	100	37.75	80	30.60
121. Chattanooga, Tenn.	73,500	136,813,500	89	11	Oct. 1	Oct. 1	12.00	6.60*	13.00	2.20*	33.80	100	33.80	65	21.97
122. Terre Haute, Ind.	73,500	(not reporting)													
123. Pawtucket, R. I.	73,100	(not reporting)													
124. Springfield, Ohio	73,000	(not reporting)													
125. New Britain, Conn.[15]	72,800	116,232,248	80	20	Apr. 1	July 1	14.10	13.04	.86	....	28.00	100	28.00	80	22.40
126. Troy, N. Y.[15]	72,300	72,245,032	95	5	Jan. 1	Jan. July	23.79	10.64	11.65	....	46.08	100	46.08	75	34.56
127. Passaic, N. J.	71,800	(not reporting)													
128. Cicero, Ill.	71,600	(not reporting)													
129. Lincoln, Nebr.	71,100	120,972,790	79	21	Sept. 1	Oct. 1	6.40	15.00	2.80	2.40	26.60	100	26.60	75	19.95
130. Hoboken, N. J.[26]	71,000	100,267,723	93	7	Jan. 1	June 1 Dec. 1	36.10	....	7.89	3.93	47.92	100	47.92	75	35.90
131. Berkeley, Calif.	71,000	91,083,200	93	7	July 1	Oct. 20	12.40	17.00	24.30	....	53.70	100	53.70	60	32.22
132. Mobile, Ala.	69,600	(not reporting)													
133. Altoona, Pa.	69,100	(not reporting)													
134. Wheeling, W. Va.	68,660	118,337,784	75	25	July 1	Nov. 1	8.90	10.80	5.30	1.90	26.90	100	26.90	70	18.53
135. Huntington, W. Va.	68,600	106,751,235	80	20	July 1	Dec.	7.50	13.40	5.00	.60	26.50	100	26.50	80	21.20
136. Niagara Falls, N. Y.[15]	68,300	141,190,717	100	..	Jan. 1	Oct. 1	9.87	11.72	6.52	....	28.11	100	28.11	100	28.11
137. Bethlehem, Pa.	67,600	(not reporting)													
138. Quincy, Mass.	67,600	(not reporting)													
139. Springfield, Ill.	67,200	(not reporting)													
140. Brockton, Mass.	65,300	78,146,075	85	15	Dec. 1	Nov. 1	22.91	8.47	1.35	.87	33.60	100	33.60	80	26.90

COMPARATIVE TAX RATES OF 235 CITIES OVER 30,000 FOR 1929—*Continued*

	Census July 1, 1928	Assessed valuation	Per cent		City fiscal year begins	Date of collection of city tax	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
141. East Orange, N. J.	65,000	$126,108,194	93	7	Jan. 1	June 1 Dec. 1	$17.77	$7.75	$5.56	$4.22	$35.30	100	$35.30	70	$24.71
142. Lakewood, Ohio	65,000	148,513,170	88	12	Jan. 1	Dec. 20 June 20	7.37	12.56	3.72	.25	23.90	100	23.90	80	19.12
143. Roanoke, Va.	64,600	67,184,204	83	17	Jan. 1	Nov. 1	16.67	8.33	....	....	25.00	100	25.00	50	12.50
144. Union City, N. J.	64,400	(not reporting)													
145. Fresno, Calif.	64,000	50,132,382	83	17	July 1	Oct. Jan.	23.50	14.50	19.10	....	57.10	100	57.10	50	28.55
146. Jackson, Mich.	63,700	88,414,034	84	16	Jan. 1	July	9.48	9.42	7.18	2.96	29.04	100	29.04	75	22.00
147. Montgomery, Ala.	63,100	(not reporting)													
148. Topeka, Kan.	62,800	88,998,895	79	21	Jan. 1	Nov. 1	15.04	15.75	4.28	2.03	37.10	100	37.10	80	29.68
149. Pasadena, Calif.	62,100	(not reporting)													
150. Portsmouth, Va.	61,600	37,196,944	91	9	Jan. 1	Nov.	17.22	9.28	....	....	26.50	100	26.50	70	18.55
151. Pontiac, Mich.	61,500	(not reporting)													
152. Macon, Ga.	61,200	52,000,000	70	30	Jan. 1	Apr. Aug. Dec.	13.75	....	18.50	5.00	37.25	100	37.25	60	22.35
153. Holyoke, Mass.	60,400	110,435,160	84	16	Dec. 1	Oct. 15	14.50	5.47	1.16	1.47	22.60	100	22.60	100	22.60
154. Covington, Ky.	59,000	(not reporting)													
155. Lancaster, Pa.	58,300	107,746,900	100	..	Jan. 1	Mar. 1	5.00	8.00	1.14	....	14.14	100	14.14	85	12.02
156. Cedar Rapids, Iowa	58,200	(not reporting)													
157. Wichita Falls, Texas	58,025	51,913,700	88	12	Apr. 1	Oct. 1	21.00	10.00	7.50	6.40	44.90	100	44.90	60	26.94
158. Oak Park, Ill.[2]	57,700	46,371,639	85	15	Jan. 1	Apr. 1	19.50	36.70	4.50	3.00	63.70	100	63.70	50	31.85
159. Newton, Mass.	57,300	(not reporting)													
160. Decatur, Ill.	57,100	(not reporting)													
161. Augusta, Ga.	56,700	(not reporting)													
162. Kenosha, Wis.	56,500	72,265,340	82	18	Jan. 1	Jan.	10.67	10.03	2.99	5.31	29.00	100	29.00	57	16.53
163. Kalamazoo, Mich.	56,400	82,077,882	74	26	Jan. 1	July 1	11.00	14.66	6.10	2.96	34.72	100	34.72	100	34.72
164. Beaumont, Texas	56,300	61,971,330	79	21	July 1	Nov. 1	15.00	9.70	8.90	6.40	40.00	100	40.00	60	24.00
165. Hammond, Ind.	56,000	101,326,885	70	30	Jan. 1	May 1 Nov. 1	13.60	13.40	4.40	2.90	34.30	100	34.30	60	20.58
166. Charleston, W. Va.	55,200	109,142,361	80	20	July 1	Oct. 1	6.97	10.80	5.00	1.90	24.67	100	24.67	100	24.67
167. Atlantic City, N. J.	54,700	318,932,959	95	5	Jan. 1	June 1 Dec. 1	14.91	4.20	3.93	4.36	27.40	100	27.40	90	24.66
168. Mount Vernon, N. Y.	54,700	150,781,803	100	..	Jan.	Jan. July	12.86	10.95	3.49	.70	28.00	100	28.00	85	23.80
169. Malden, Mass.	53,400	70,127,150	86	14	Jan. 1	Oct. 15	18.14	7.77	2.58	1.11	29.60	100	29.60	80	23.68
170. Woonsocket, R. I.[17]	53,400	83,543,050	72	28	Jan. 1	Nov. 12	20.14	4.86	....	1.05	26.05	100	26.05	100	26.05
171. Newport News, Va.	53,300	31,297,265	85	15	Jan. 1	Dec. 1	17.50	13.00	....	....	30.50	100	30.50	50	15.25
172. St. Petersburg, Fla.	53,300	143,617,020	93	7	July 1	Oct. 1	11.00	3.50	2.50	1.25	18.25	100	18.25	100	18.25
173. Medford, Mass.	52,900	81,592,400	91	9	Apr. 1	Nov. 1	16.30*	9.00*	1.40*	2.50*	29.20	100	29.20	80	23.40
174. New Castle, Pa.	52,500	57,136,640	94	6	Jan.	Mar. 1	13.00	16.00	9.00	....	38.00	100	38.00	67	25.50
175. Davenport, Iowa	52,470	66,608,940	87	13	Apr. 1	Sept. 1	13.50	13.74	4.79	2.25	34.28	100	34.28	60	20.50
176. Greensboro, N. C.	51,900	105,600,000	75	25	June 1	Sept. 1	9.60	3.60	10.00	....	23.20	100	23.20	75	17.40
177. Springfield, Mo.	51,700	44,119,161	70	30	July 1	Sept. 1	13.70	16.60	5.30	1.30	36.90	100	36.90	70	25.83

178. Stockton, Calif.	51,000	(not reporting)													
179. East Chicago, Ind.	50,800	(not reporting)													
180. Columbia, S. C.	50,600	$19,586,070	67	33	Jan. 1	Oct. 15	$33.00	$29.50	$15.00	$5.00	$82.50	100	$82.50	25	$20.62
181. Galveston, Texas	50,600	59,341,000	75	25	July 1	Sept. 1	23.00	7.50	11.00	7.40	48.90	100	48.90	60	29.34
182. Madison, Wis.	50,500	(not reporting)													
183. McKeesport, Pa.	50,400	(not reporting)													
184. Perth Amboy, N. J.	50,100	52,183,959	86	14	Jan. 1	June 1 Dec. 1	22.58	11.67	9.38	4.37	48.00	100	48.00	60	28.80
185. Elmira, N. Y.	50,000	(not reporting)													
186. Pittsfield, Mass.	50,000	57,796,635	89	11	Apr. 1	Oct. 15	16.20	12.65	2.62	1.53	33.00	100	33.00	70	23.10
Group V Population 30,000 to 50,000															
187. York, Pa.	49,900	56,650,975	97	3	Jan.	Apr. 1	9.50	16.00	10.00	....	35.50	100	35.50	50	17.75
188. Chelsea, Mass.	49,800	56,567,900	88	12	Jan. 1	Apr. 1	24.19	9.83	....	3.78	37.80	100	37.80	100	37.80
189. Lima, Ohio	49,700	80,380,530	78	22	Jan. 1	Dec. 20 June 20	10.32	9.21	4.22	.25	24.00	100	24.00	90	21.60
190. Bay City, Mich.	49,600	48,101,699	80	20	July 1	Aug. 1	14.38	18.50	2.42*	5.90*	41.20	100	41.20	85	35.00
191. Haverhill, Mass.	49,230	64,010,775	84	16	Jan. 1	Sept. 15	19.77	7.89	1.32	1.02	30.00	100	30.00	100	30.00
192. New Rochelle, N. Y.	48,800	181,202,900	98	2	Jan. 1	Apr. 1 Sept. 1	15.09	7.36	3.76	.59	26.80	100	26.80	100	26.80
193. Lexington, Ky.	48,700	52,440,800	86	14	Jan.	June Oct.	16.12	8.48	5.00	3.00	32.60	100	32.60	70	22.82
194. Evanston, Ill.[2]	47,600	65,370,469	84	16	Jan. 1	Jan. 1	13.60	49.60	13.00	6.50	82.70	100	82.70	45	37.22
195. Durham, N. C.	47,600	81,787,980	66	34	June 1	Oct. 1	11.80	2.50	11.00	....	25.30	100	25.30	75	19.00
196. Battle Creek, Mich.	47,200	69,053,550	78	22	July 1	July 1	10.00	11.80	5.60	3.20	30.60	100	30.60	75	22.95
197. Aurora, Ill.	47,100	(not reporting)													
198. Muncie, Ind.	46,800	66,000,000	80	20*	Jan. 1	Jan. 1 June 1	10.00	11.70	5.10	2.90	29.70	100	29.70	100	29.70
199. Columbus, Ga.	46,600	48,238,265	75	25	Jan. 1	Aug.	12.00	6.00	8.00	5.00	18.00	100	31.00	60	18.60
200. Waco, Texas	46,600	61,188,120	76	24	Oct. 1	Dec. 1 June 1	18.20	6.50	9.80	6.80	41.30	100	41.30	60	24.78
201. Muskegon, Mich.	46,600	(not reporting)													
202. Jamestown, N. Y.[15]	46,000	64,601,049	100	..	Jan. 1	May 1	12.84	12.12	9.11	....	34.07	100	34.07	60	20.44
203. Brookline, Mass.	45,700	165,660,000	90	10	Jan. 1	Oct. 15	12.54	3.93	.75	1.78	19.00	100	19.00	100	19.00
204. San Jose, Calif.	45,500	43,582,685	85	15	Dec. 1	Oct. 21	18.30	17.20	19.60	....	55.10	100	55.10	40	22.04
205. Chicopee, Mass.	45,400	(not reporting)													
206. Fitchburg, Mass.	45,200	58,621,975	80	20	Dec. 1	Oct. 15	17.61	9.63	1.44	1.32	30.00	100	30.00	100	30.00
207. Austin, Texas	45,135	48,592,677	79	21	Jan. 1	Apr. 1	15.00	6.00	8.40	6.40	35.80	100	35.80	66	23.90
208. Lorain, Ohio	44,900	85,605,510	63	37	Jan. 1	Dec. 20 June 20	9.18	9.72	3.05	.25	22.20	100	22.20	85	18.85
209. Pueblo, Colo.	44,200	(not reporting)													
210. Hamilton, Ohio	44,200	96,363,950	74	26	Jan. 1	Dec. 20 June 20	8.69	7.07	3.48	.25	19.49	100	19.49	100	19.49
211. Williamsport, Pa.	44,000	38,204,105	100	..	Jan. 1	Mar. 1	15.50	17.00	9.50	....	42.00	100	42.00	70	29.40
212. Stamford, Conn.	43,800	96,813,246	97	3	Jan. 1	Sept. 1	24.84	9.47	.19	....	34.50	100	34.50	75	24.80
213. Butte, Mont.	43,600	(not reporting)													
214. Everett, Mass.	43,300	72,410,275	84	16	Jan. 1	Nov. 1	12.30	10.80	1.43	4.67	29.20	100	29.20	75	21.90
215. Salem, Mass.	43,000	57,415,540	83	17	Jan. 1	Sept. 1	17.55	9.74	1.80	1.21	30.30	100	30.30	100	30.30
216. Rock Island, Ill.	42,700	23,621,976	79	21	Apr. 1	Mar. 1	14.30	20.00	6.15	3.00	43.45	100	43.45	60	26.10
217. Poughkeepsie, N. Y.[15]	42,500	49,916,212	100	..	Jan. 1	Feb. 15	29.45	....	10.07	....	39.52	100	39.52	80	31.60
218. Dubuque, Iowa	42,300	47,491,696	75	25	Apr. 1	Jan. 1	15.17	12.43	6.65	2.25	36.50	100	36.50	70	25.55
219. Council Bluffs, Iowa	42,300	(not reporting)													
220. Phoenix, Ariz.	42,100	81,530,216	55	45	July 1	Oct. Apr.	12.60	13.80	19.00	9.30	54.70	60	32.82	60	19.69

COMPARATIVE TAX RATES OF 235 CITIES OVER 30,000 FOR 1929—*Continued*

	Census July 1, 1928	Assessed valuation	Per cent		City fiscal year begins	Date of collection of city tax	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
221. Joliet, Ill.	41,900	$26,857,579	80	20	Jan. 1	Jan. 1	$20.00	$13.75	$6.30	$3.00	$43.05	100	$43.05	60	$25.83
222. Portsmouth, Ohio	41,200	(not reporting)													
223. West New York, N. J.	40,900	(not reporting)													
224. New Brunswick, N. J.	40,800	59,722,200	95	5	Jan. 1	June 1 Dec. 1	21.50	12.30	9.40	4.40	47.60	100	47.60	80	38.10
225. Taunton, Mass.	40,600	(not reporting)													
226. Kokomo, Ind.	40,400	(not reporting)													
227. Quincy, Ill.	39,800	(not reporting)													
228. Superior, Wis.	39,670	(not reporting)													
229. East Cleveland, Ohio	39,400	88,359,580	85	15	Jan. 1	Dec. 1 June 1	7.05	14.18	3.72	.25	25.20	100	25.20	70	17.64
229a. Amarillo, Tex.	39,200	(not reporting)													
230. Wilmington, N. C.	39,100	(not reporting)													
231. Ogden, Utah	39,100	41,224,204	73	27	Jan. 1	Sept. 1	11.00	11.50	4.50	8.30	35.30	100	35.30	60	21.18
232. Danville, Ill.	38,800	31,288,375	57	43	May 1	June 1	15.00	17.00	4.00	3.00	39.00	100	39.00	66	26.00
233. Lynchburg, Va.	38,600	44,500,000	93	7	Jan. 1	Sept. 1	13.50	10.00	....	....	23.50	100	23.50	60	14.10
234. Easton, Pa.	38,400	45,705,440	100	..	Jan.	Jan.	13.50	15.00	7.00	....	35.50	100	35.50	56	19.85
235. Hazleton, Pa.	38,300	29,580,400	93	7	Jan. 1	Apr. 1	13.00	24.00	8.90	....	43.90	100	43.90	40	17.56
236. Petersburg, Va.	37,800	29,616,324	90	10	July 1	July 1	18.40	6.60	....	....	25.00	100	25.00	70	17.50
237. Cranston, R. I.	37,500	68,268,790	78	22	Oct. 1	Oct. 11	10.80	11.00	....	1.20	23.00	100	23.00	75	17.25
238. Waterloo, Iowa	37,100	30,324,000	84	16	Apr. 1	Jan. 1	17.71	24.07	5.21	2.16	49.15	100	49.15	40	19.66
239. Meriden, Conn.	37,100	51,353,175	85	15	Jan. 1	May 4 Nov. 4	15.46*	10.64*	.69	.21	27.00	100	27.00	90	24.30
240. Waltham, Mass.	37,100	(not reporting)													
241. Lewiston, Maine	36,600	34,585,176	84	16	Mar. 1	Aug. 20	17.00	5.00	2.00	8.00	32.00	100	32.00	60	19.20
242. Orange, N. J.	36,500	47,376,944	93	7	Jan. 1	June 1 Dec. 1	20.52	10.51	5.55	4.22	40.80	100	40.80	80	32.64
243. Clifton, N. J.	36,200	(not reporting)													
244. Amsterdam, N. Y.	36,200	(not reporting)													
245. Norristown, Pa.	36,200	25,564,160	92	8	Jan. 1	July 1	12.50	20.00	4.00	....	36.50	100	36.50	33	12.17
246. Warren, Ohio	36,100	77,746,050	90	10	Jan. 1	Dec. 20	7.55	10.15	3.75	.45	21.90	100	21.90	90	19.71
247. Green Bay, Wis.	36,100	(not reporting)													
248. Colorado Springs, Colo.	36,000	41,244,200	67	33	Jan. 1	Jan. Aug.	14.00	15.75	8.46	3.56	41.77	100	41.77	80	33.42
249. Revere, Mass.	36,000	41,434,450	94	6	Jan. 1	Oct. 15	....	....	....	....	38.40	...	....	..	....
250. Elgin, Ill.	36,000	29,455,661	70	30	Jan. 1	Mar.	11.70	17.40	10.86	3.00	42.96	100	42.96	75	32.22
251. Auburn, N. Y.[15]	35,700	52,561,155	100	..	July 1	July 1	10.95	5.31	6.35	....	22.61	100	22.61	98	22.20
252. Moline, Ill.	35,600	22,709,750	70	30	Apr. 1	Mar. 15	14.10	20.00	6.15	3.00	43.25	100	43.25	60	25.95
253. Sheboygan, Wis.	35,100	50,118,342	82	18	Jan. 1	Jan. 1	15.21	9.29	6.25	.63	31.38	100	31.38	64	20.08
254. Irvington, N. J.	34,600	74,044,807	92	8	Jan. 1	June 1 Dec. 1	15.21	11.00	5.55	4.24	36.00	100	36.00	100	36.00
255. Anderson, Ind.	34,600	(not reporting)													
256. Cumberland, Md.	34,400	43,000,000	70	30	Apr. 1	July 20	10.00	9.13	5.57	2.57	27.27	80	21.85	65	14.20
257. Montclair, N. J.	33,700	106,246,891	92	8	Jan. 1	June 1 Dec. 1	14.90	9.75	8.20	1.65	34.50	100	34.50	90	31.05

258. Watertown, N. Y.	33,700	$45,975,571	99	1	July 1	July 1	$14.60	$12.20	$8.21	$.69	$35.70	100	$35.70	80	$28.56
259. Marion, Ohio	33,400	49,459,740	64	36	Jan. 1	June 1 Dec. 1	9.68	10.09	3.98	.25	24.00	100	24.00	100	24.00
260. Oshkosh, Wis.[15]	33,200	59,916,285	82	18	Jan. 1	Jan. 1	11.90	8.89	5.21	....	26.00	100	26.00	80	20.80
261. Muskogee, Okla.	33,200	(not reporting)													
262. Port Arthur, Texas	33,000	(not reporting)													
263. Steubenville, Ohio	32,600	80,686,080	70	30	Jan. 1	June 20 Dec. 20	4.67	10.10	4.95	.25	20.07	100	20.07	85	17.10
264. Mansfield, Ohio	32,500	75,000,000	75	25	Jan. 1	Dec. 20 June 20	6.70	9.40	4.85	.45	21.40	100	21.40	100	21.40
265. Plainsfield, N. J.	32,500	(not reporting)													
266. Alameda, Calif.	32,400	30,208,000	85	15	July 1	Oct. 21	16.90	18.40	22.10*	....	57.40	100	57.40	60	34.44
267. Kearny, N. J.	32,100	73,894,537	84	16	Jan. 1	June 1 Dec. 1	15.47	8.29	8.04	4.85	36.65	100	36.65	70	25.65
268. Fort Smith, Ark.	32,100	22,726,224	65	35	Apr. 1	Jan. 1	7.03	18.00	7.50	8.70	41.23	50	20.62	60	12.37
269. Asheville, N. C.	32,000	117,000,000	85	15	Sept. 1	Sept. 1	16.00	5.30	15.10	....	36.40	100	36.40	80	29.15
270. Hagerstown, Md.	32,000	(not reporting)													
271. Middletown, Ohio	31,900	80,199,200	75	25	Jan. 1	June Dec.	5.07	7.15	3.48	.25	15.95	100	15.95	85	13.55
272. Sioux Falls, S. D.	31,200	44,489,963	75	25	Jan. 1	Apr. Oct.	11.96	16.16	4.03	3.12	35.27	100	35.27	70	24.70
273. Rome, N. Y.	31,100	24,286,107	97	3	Jan. 1	Jan. 1 July 1	16.48	13.88	6.31	.78	37.45	100	37.45	80	29.96
274. Raleigh, N. C.	31,000	(not reporting)													
275. Richmond, Ind.	31,000	42,235,831	54	46	Jan. 1	May Nov.	12.20	12.20	4.50	2.90	31.80	100	31.80	100	31.80
276. Clarksburg, W. Va.	30,900	50,238,776	67	33	July 1	Oct. 15	9.00	9.00	2.30	1.90	22.20	100	22.20	70	15.54
277. Great Falls, Mont.	30,900	14,621,761	75	25	July 1	Aug. 1	24.23	28.00	11.50	4.33	68.06	100	68.06	28	19.05
278. Norwood, Ohio	30,800	(not reporting)													
279. Port Huron, Mich.	30,700	38,484,779	85	15	May 1	July	13.60	16.08	7.30	2.66	39.64	100	39.64	85	33.65
280. Bloomington, Ill.	30,700	(not reporting)													
281. Newark, Ohio	30,500	47,571,580	67	33	Jan. 1	June Dec.	8.16	10.10	5.25	.49	24.00	100	24.00	80	19.20
282. Zanesville, Ohio	30,450	61,162,020	76	24	Jan. 1	June Dec.	4.90	10.65	5.00	.45	21.00	100	21.00	100	21.00
283. LaCrosse, Wis.[15]	30,400	48,406,688	81	19	Jan. 1	Jan. 1	11.50	9.00	9.50	....	30.00	100	30.00	100	30.00
284. Newburgh, N. Y.[16]	30,400	39,359,200	100	..	Jan. 1	Mar. Sept.	13.00	11.60	11.26	....	35.86	100	35.86	81	29.00
285. Norwalk, Conn.	30,100	(not reporting)													
286. Nashua, N. H.	30,000	43,843,267	90*	10*	Jan. 1	Dec. 1	15.29	8.40	2.15	2.36	28.20	100	28.20	100	28.20
Canadian Cities															
1. Montreal, Que.[30]	699,500	868,542,118	100	..	Jan 1	Oct. 1	14.60	9.36	....	....	23.96	100	23.96	75	17.97
2. Toronto, Ont.[31]	585,626	967,371,437	100	..	Jan. 1	May 3 July 5 Sept. 5	21.30	10.20	....	....	31.50	100	31.50	75	23.63
3. Winnipeg, Man.[32]	205,083	232,260,930	100	..	Jan. 1	June 15	16.51	13.66	....	2.83	33.00	80	26.40	100	26.40
4. Vancouver, B. C.[33]	142,150	171,567,984	100	..	Jan. 1	Aug. 3	25.13	12.37	....	....	37.50	74	27.75	100	27.75
5. Hamilton, Ont.[34]	134,566	158,626,982	100	..	Jan. 1	June 1 Sept. 1	20.20	13.30	....	....	33.50	100	33.50	100	33.50
6. Quebec, Que.[35]	131,071	152,504,827	100	..	May 1	Nov. 1	21.60	9.50	....	....	31.10	100	31.10	80	24.88
7. Ottawa, Ont.	122,731	149,323,059	100	..	Jan. 1	June 18 Nov. 18	20.30	11.05	....	....	31.35	100	31.35	67	21.00

COMPARATIVE TAX RATES OF 235 CITIES OVER 30,000 FOR 1929—*Concluded*

	Census July 1, 1928	Assessed valuation	Per cent		City fiscal year begins	Date of collection of city tax	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
8. Edmonton, Alta.[36]	72,501	$63,200 920	100	..	Jan. 1	May 15 July 15 Oct. 1 Dec. 1	$23.80	$22.70	....	....	$46.50	78	$36.20	100	$36.20
9. Calgary, Alta	72,500	(not reporting)													
10. Windsor, Ont	68,569	79,454,400	100	..	Jan. 1	June 15 Oct. 15	19.91	16.09	....	....	36.00	100	36.00	60	21.60
11. London, Ont	68,404	80,622,004	100	..	Jan. 1	June 18 Aug. 18 Oct. 18	19.90	14.00	....	....	33.90	100	33.90	80	27.12
12. Halifax, N. S.[37]	55,000	55,424,195	100	..	May 1	May 1 Sept. 1	22.60	11.00	....	1.00	34.60	100	34.60	80	27.68
13. St. John, N. B	52,000	51,491,400	100	..	Jan. 1	July 16 Aug. 27 Oct. 8	10.40	10.80	....	7.80	29.00	100	29.00	100	29.00
14. Verdun, Que	47,000	(not reporting)													
15. Victoria, B. C.[38]	42,000	53,719,317	100	..	Jan. 1	Aug. 15	28.73	12.27	....	....	41.00	100	41.00	65	26.70
16. Regina, Sask.[39]	42,000	58,027,665	100	..	Jan. 1	June 30 Jan. 31	21.00	18.50	....	1.50	41.00	84	34.44	80	27.55
17. Saskatoon, Sask.[40]	40,000	31,668,924	100	..	Jan. 1	July 31	16.34	24.33	....	1.73	42.40	87	36.89	90	33.20
18. Three Rivers, Que	36,500	50,409,200	100	..	Jan. 1	Nov. 28	23.24	10.00	....	3.36	36.60	100	36.60	75	27.45

* Estimated.

[1] *New York City.* The assessed valuation is exclusive of $900,000,000 of new dwellings exempted from local taxation until 1932, but assessed for state tax. The official computation gives a single rate for city, school and county purposes; the individual estimates shown being in proportion to appropriations. In addition to the rate given, levies are made on the several boroughs and city at large for local improvements. The estimated ratio of assessed to true value is based upon the state equalization table.

[2] *Chicago.* The figures given are for 1927 valuation and 1928 tax levy. The rate includes sanitary district and south park district rates, the rate given being for the south park district (central business section and greater part of south side). Rates in other parts of the city are slightly higher because of variations in the park rate. These figures are the latest available, on account of the delay involved in the reassessment ordered by the state tax commission.

[3] *Philadelphia.* The city rate includes the cost of county government, which is consolidated with the city. The rates are given on city realty, comprising 95 per cent of all realty; suburban realty (4½ per cent of all realty) is taxed at two-thirds, and farm realty (½ per cent) at one-half the rate on city realty,—except that property in independent poor districts (having local poor taxes of from 30 to 40 cents per $1,000 valuation) is further relieved of such poor taxes. Money at interest and vehicles to hire, comprising the personalty valuation, are taxed at 4 mills. There is no state tax in Pennsylvania on property subject to local taxation.

[4] *Los Angeles.* The population is a local estimate. The city rate includes a tax for flood control, $1.00, and metropolitan water district, 40 cents. There is no state tax on real estate in California.

[5] *Cleveland.* The school rate, for all Ohio cities, includes a state rate for schools of $2.65, collected by the county and distributed to the school districts.

[6] *Baltimore.* There is no county rate. There are several rates applied to different bases of valuation (see 1926 tabulation for details, December, 1926, REVIEW). Personal property of manufacturers is exempt from taxation.

[7] *Pittsburgh and Scranton.* The city rate upon improvements is one-half the rate upon land, the rate shown being the weighted average of the two rates. Machinery is exempt from taxation.

[8] *San Francisco.* The city rate includes the county, which is consolidated with the city. The valuation reported includes $388,761,784 of solvent credits and stocks and bonds which are taxed under state law, the first at $1.00 per $1,000 and the latter at $2.00 per $1,000.

[9] *Washington, D. C.* Appropriations for the District of Columbia are made by Congress, a lump sum of $9,000,000 thereof being paid by the federal treasury. Intangible personalty, $524,565,000, not included in the valuation reported, is taxed at one-half of one per cent. Banks, trust companies, and public service corporations are taxed at various rates on earnings or receipts. There is a single rate for all purposes, the school rate being estimated.

[10] *Minneapolis, St. Paul, Duluth.* The Minnesota statutes provide for five classes of property, assessed at varying bases of true value: real estate (except unplatted) is assessed at 40 per cent; iron ore at 50 per cent; personalty, in three classes, is assessed at 10, 25, and 33⅓ per cent, respectively. The average of all is as reported. Money and credits (not included in the valuation reported) are taxed at 3 mills on the dollar. The total rate in Minneapolis varies slightly in various wards due to varying rates for street maintenance.

[11] *Kansas City, Missouri.* The valuation given is for city tax purposes; the valuation of real estate used for school, county, and state purposes is about one-third larger. The rates shown are adjusted to the city valuation basis. In addition, a $2.50 park and boulevard maintenance tax on land only is levied, equivalent to a tax of 38 cents on the total valuation.

[12] *Seattle, Washington.* The city rate includes a tax of $1.00 per $1,000 for the Port of Seattle.

[13] *Portland.* The school rate includes $2.18 county school levy, and $2.20 state elementary school levy, which are returned to the local school district.

[14] *Louisville.* Of the valuation reported, $27,119,000 of stocks of banks, trust and life-insurance companies is taxed $2.00 per $1,000 for city and $4.00 for schools. Unmanufactured agricultural products, $5,500,000, are taxed $1.50 per $1,000 for city purposes.

[15] *Rochester, Albany, Charleston, Binghamton, Troy, New Britain, Niagara Falls, Jamestown, Poughkeepsie, Auburn, Oshkosh, La Crosse, Newburgh.* The county rate includes state rate, the separation not being reported.

[16] *Denver.* The rate given excludes a probable tax of $1.50 per $1,000 for the Moffat Tunnel district which is in litigation.

[17] *Providence, Woonsocket.* There is no county government in Rhode Island. In addition to the rate given, $4.00 per $1,000 is levied on intangible personalty.

[18] *Oakland.* The city rate includes $5.00 water utility district rate.

[19] *Richmond.* The cities of Virginia are autonomous, having no county government. There is no state tax on property subject to local taxation. Tangible personalty is taxed at $14.50 per $1,000 for city purposes.

[20] *Dayton.* The city rate includes $2.13, and the county rate, $.27, conservancy.

[21] *Miami.* Rates for school, county, road, and state are levied upon separate valuations but are readjusted to the city valuation reported.

[22] *Des Moines, Sioux City.* Taxable values in Iowa are one-quarter of assessed values. The city tax includes a 47-cent rate per $1,000 on business and boulevard property subject to white-way lighting which is not levied on other property. Moneys and credits are taxed at 5 mills.

[23] *Wilmington.* Of the total assessment, $2,864,250 pays one-half the full rate for city and schools; and $2,399,475, public utilities, pays a rate of $39.50 for city and $5.50 for school purposes. There is no state tax.

[24] *Fall River.* The city rate includes $1.90 tax rebate to overvaluation in prior years.

[25] *Kansas City, Kansas.* The rate given is exclusive of a $3.70 per $1,000 Kaw Valley drainage district tax levied on $56,000,000 valuation in the city.

[26] *Lowell, Hoboken.* The city rate includes schools, the separation not being reported.

[27] *Tacoma.* The city rate includes port, $3.40, and park, $2.00.

[28] *Peoria.* The city rate includes $5.30 for the park and sanitary sewer districts.

[29] *Shreveport.* Valuation along river pays an additional levy of $5.00 for levee protection.

[30] *Montreal.* The school rate reported is the average of the Catholic rate, $7.00, the Protestant rate, $10, and the neutral rate, $12.

[31] *Toronto.* Realty valuation includes 10.4 per cent business and 7.4 per cent income. The school rate given is the public school rate; the separate school rate is $14.45.

[32] *Winnipeg.* Land, valued at $114,176,430, is assessed at 100 per cent; buildings are assessed at 66⅔ per cent; the ratio of rateable assessment to total valuation is 79.7 per cent. The province tax is reported under "State."

[33] *Vancouver.* Land, assessed at $161,701,641, is taxed at 100 per cent; improvements, assessed at $171,567,984, are taxed at 50 per cent; the ratio of taxable valuation to total is 74.2 per cent. The gross tax rate is $41.666, but is reported $37.50 because over 90 per cent is paid before the expiration of a 10 per cent discount period.

[34] *Hamilton.* Realty valuation includes 8.9 per cent business and 4.5 per cent income.

[35] *Quebec.* The city rate includes $5.00 for water paid by $44,969,260 which is exempt from general taxation, and $1.10 for improvements.

[36] *Edmonton.* Land, valued at $36,275,190, is assessed at 100 per cent; improvements are assessed at 60 per cent; the ratio of taxable to true valuation is 78 per cent.

[37] *Halifax.* Realty valuation includes 13.7 per cent business, and 5 per cent household, assessment.

[38] *Victoria.* Land, valued at $24,805,857, is assessed at 100 per cent; improvements are assessed at 50 per cent; the ratio of taxable to true valuation is 65 per cent.

[39] *Regina.* Realty valuation includes 12 per cent business and income. Land, valued at $34,084,750, is assessed at 100 per cent; improvements, at 60 per cent. The separate school rate is $6.20 higher than the public school rate reported.

[40] *Saskatoon.* Land is assessed at 100 per cent, improvements at 60 per cent.

RECENT BOOKS REVIEWED

GROUP REPRESENTATION BEFORE CONGRESS. By E. Pendleton Herring. Baltimore: The Johns Hopkins Press, 1929. xviii, 309 pp.

The problem of representation in the United States is today vastly different from what it was at the time of the Constitutional Convention. To the founding fathers, representation was designed to secure in the government a reflex of the opinion of the entire electorate. The opinion of individuals collected in the districts was expected to form the basis upon which public policy should rest. It was recognized that sinister interests might at times pervert the representation of the people, and safeguards against this contingency were sought. But nobody supposed that the individual would cease to be the source from which opinion sprang and that citizens would take their ideas on government and politics from an organized group. The growth of occupational, functional, social, patriotic, religious, business, and scientific groups avowedly aiming to control public policy was not foreseen.

Dr. Herring seeks to draw a picture of the national associations that come to Washington and attempt to influence the government. The study is by no means complete and embraces only those organizations which are or have been the most prominent. But a cross-section is worth a great deal in this case. For the great system of lobbying at the national capital, although composed of warring elements that represent the pro and con of almost every conceivable question of public or quasi-public interest, has nevertheless a sameness in its operation that makes possible a discussion of general method. Some associations exist for the benefit of their own large memberships and seek to promote legislation in behalf of the social and economic interests of the people who contribute to their support; others aim solely to control legislation in behalf of the other fellow. Many of the spokesmen for the organized groups talk in terms of the general welfare and the education of the nation; a few admit that their chief function is to "worry the life out of congressmen." When they get down to the serious business of influencing legislation, all organized groups follow pretty much the same tactics.

It should not be overlooked that the new lobby has supplanted an older lobby about which the odor of corruption clung for many years. It is too much to claim that corruption has been banished from our national government; Teapot Dome is not far in the background. But the methods of the organized groups that gather in Washington today do not partake of the bribery and corruption of the lobbies maintained by the vested interests a generation ago. For this reason the legislative attempts to deal with the organized groups have proved abortive; they have proceeded upon the assumption that the new lobby was not greatly different from the old.

The conclusions which Dr. Herring is able to draw from his survey of the organized groups at Washington are subject to limitations. He has been able within the brief compass of his study to sketch only a few of the most prominent associations. Sufficient data is presented to warrant the conclusion that certain extra-legal agencies have become an integral part of our representative system of government. That these national associations have succeeded in creating public opinion and in using this opinion in the promotion of specific legislative measures cannot be denied. But Dr. Herring's method of observation does not reveal the effectiveness of the lobby in bringing the public opinion which it creates to bear upon the government in specific instances. We know, for example, something of the activities of the Anti-Saloon League in bringing pressure to bear upon congressmen to further prohibition enforcement legislation. It is important to know the impact of this and other organized groups upon congress in the construction of particular measures. This problem cannot be solved by external observation. That is not to say that Dr. Herring has not done his work well. He has demonstrated that the national associations must be taken into account, along with the political party, as agencies in the formulation and expression of public opinion. The precise place to be allotted to them in the government remains yet to be determined.

WILLIAM S. CARPENTER.

Princeton University.

L'Avenir de Paris. By Albert Guérard. Paris: Payot, 1929. 366 pp.

Professor Albert Guérard, of the Faculty of Letters at Stanford University, in charge of the course on the civilization of France, has written a most significant and absorbing book on the future of Paris. The suggestions which Professor Guérard offers for transforming the ugly and preserving the beautiful in the French capital are both penetrating and sound. They are set forth in great detail and can be appreciated fully only by those who know their Paris. Written for Parisians, the selection of good and bad examples from the United States proves entertaining reading for an American.

At the outset Professor Guérard recognizes that the beauty of Paris is inseparably tied up with the Seine, the treatment of its bridges and its banks as well as with the composition of the groups of buildings to be seen from the river. Professor Guérard believes that if Haussmann were living today, he would not be satisfied with the Paris of today, but would be projecting new plans to meet the complicated needs of modern civilization.

Paying his compliments to the beaux-arts type of architecture in the nineteenth century, which he thinks can hardly lay claim to a merit which will permit it to enjoy the long-lived fame of the Greek, Roman or Gothic types, the author discusses the architectural possibilities of both public and private buildings in the Paris of the future. He realizes the advantages and even the beauty of some of the skyscrapers, particularly as produced under the set-back zoning laws of New York. He admires the Woolworth building. But he realizes that Paris would be ruined by the unrestrained adoption of the skyscraper and sets forth very clearly the relation of high buildings to width of streets and to open spaces. He hopes that Paris will avoid the mistakes made by many American cities in totally disregarding the problems of congestion and traffic caused by acres of high buildings until the situations become so intolerable that emergency measures are necessary.

The population of Paris should be dispersed into the suburbs, which should be designed to make the most of grass, flowers and trees in public gardens and private grounds. The principles of zoning should be adapted to meet continental conditions.

Professor Guérard's suggestion that high apartment buildings be erected in the suburbs, where enough space may be kept open around them and where the boulevards may provide ample room for traffic, is exactly opposite to the American practice of crowding high buildings in small congested downtown areas. His suggestion that the inner city be held to low buildings would not only preserve the architectural charm of Paris but would prevent the overwhelming traffic difficulties which have developed in the larger cities of the United States.

He offers daring but intriguing suggestions that the French government seek a new site and provide itself with governmental buildings of charm and dignity, set in extensive gardens, designed as a harmonious unit, and that the business of Greater Paris, transformed into a sort of county or federated city government, be housed in appropriate buildings, with perhaps a division of function which would permit a degree of decentralization and so make use of headquarters in the old towns which should be taken into the larger city.

With new railway stations, served with double-deck boulevards to provide for both local and through traffic, with gardens covering the railway entrance tracks, with arterial and ring boulevards at convenient intervals, with an outer parkway connecting the obsolete military stations transformed into gardens or parks, with the street trees protected and extended, with port facilities drawing boat traffic up the Seine, and with many more improvements proposed by Professor Guérard, the Paris of tomorrow should indeed be a greater, a better and a more beautiful capital city.

Harlean James.
American Civic Association.

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Roadside Development. By J. M. Bennett. (Land Economics Series, edited by Richard T. Ely of the Institute for Research in Land Economics and Public Utilities) New York; Macmillan, 1929. 265 pp.

When we go out for an enjoyable drive, do we take the crude, bald, new highway, or do we seek the charming old roads with their wealth of bordering trees, shrubs and herbage? Why does the average new highway have to be so dull? As a matter of fact, there is no reason why it should. Fortunately Wayne County, Michigan, and Mercer County, New Jersey, have pointed the way, which is now being followed in many states and counties, of bringing to our new roadsides the charm that characterizes the old.

At first thought it seems to be a simple matter to go out into the woods and dig up a few trees and plant them along the roadside and then let them take care of themselves. In actual practice it is much more complicated than that, for the planting of trees, shrubs, and grass borders has developed into a distinct science and art with a wealth of background and experience behind it. If our wonderful zeal for road building is going to mature and give us charming as well as efficient roads, obviously the road-building agencies in the country must profit by the best experience available in planting, and make a point of learning what the modern science and art of roadside development really is.

Seemingly nobody took the trouble to prepare a readable manual on this subject until J. M. Bennett prepared this book for the Institute of Research and Land Economics and Public Utilities. Every conceivable thing that one could ask and everything that one might possibly need to know in connection with roadside development, both from the standpoint of technique and the standpoint of landscape architecture, is covered in this 250-page manual. Better still, every point that is made is strikingly illustrated by effective photographs and drawings. How not to do it is illustrated as often as how to do it. Such questions as what to do about poles and wires and other street fittings are covered in great detail, and even the question of comfort stations is taken up. The best laws relating to wayside development, especially those of Wayne County, Michigan, and Westchester County, New York, are given in full. Perhaps the most inspiring chapter of all is the one on national progress, which shows that already a large proportion of the states and scores of counties are seriously taking up roadside development. Perhaps there is no one movement going on today that is likely to have as much beneficial effect on our highways and add so much to the enjoyment of driving as this.

I feel that we can unreservedly recommend this book to all state, county and municipal highway authorities.

GEORGE B. FORD.

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Philadelphia Traffic.—Among the many special reports dealing with some one item in the city plan the series entitled "Philadelphia Traffic Survey" now being prepared for the Chamber of Commerce under the direction of Mitten Management, Inc., presents particularly concrete recommendations based on detailed surveys and analysis.

Report No. 1 demonstrates that additional street approaches to the great Delaware River Bridge are vitally needed. Will Philadelphia provide them?

Report No. 2 continues the study throughout the central district, finds the pedestrian the largest element, and makes a series of recommendations for eliminating left-hand turns, revised parking, signal lights, establishing a traffic bureau and traffic court, pedestrian subways, paving uniform signs and the like. No land acquisitions for widenings are recommended, but three of Philadelphia's famous city parks are regarded as unused, or at least as of less value to the community as parks than as paved street area and the community itself evidently too poor to buy elsewhere the additional street area needed. Alternative plans are presented for cutting traffic streets straight through Rittenhouse Square, Washington Square and (in Report No. 1) Franklin Square, or of slicing considerable strips off their sides and in the case of the first two also cutting a great two-hundred-foot triangle off of each corner, thus appropriating about one-sixth of their area and transforming these "squares" into octagons. Will Philadelphia also do this?

Report No. 3 amplifies the signal control recommendations; and Report No. 4 analyzes accidents in more detail and emphasizes certain of the previous recommendations, such as traffic bureau and court, signals and pedestrian subways. These are stated to be followed by further installments of the complete survey.

ARTHUR C. COMEY.

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THE FINANCIAL HISTORY OF BALTIMORE, 1900–1926. By Leonard Owens Rea, Ph.D. (Johns Hopkins University Studies in History and Political Science, Series XLVII, No. 3.) Baltimore: The Johns Hopkins Press, 1929. 127 pp.

This study is "an attempt to bring up to date in a final and concise manner the financial history of Baltimore." It is a timely supplement to the brilliant study of Professor Jacob H. Hollander which traced the city's financial history from 1729 to 1897.

Enormous increases in municipal expenditures mark the last twenty-five years of the city's history. While the steady expansion of the city

services, incident to the growth of population, and the general rise of the price levels since 1919 have been factors of considerable importance, the change has come about "chiefly in response to a rising social consciousness demanding higher standards of municipal comfort, health, and efficiency." Particular items involved in this increase have been a sanitary storm water and sewage drainage system, repeated projects to provide a pure and adequate water supply, the development of port facilities, extension of conduits, smooth highways, and outlays for public education.

Concerning the municipal revenues, the study notes that the general property tax continues to be the dominant feature of the municipal revenue system. License taxes sunk to relative unimportance after the enactment of the federal prohibition act. Special assessments for street construction and paving gave way after 1912 to a special paving tax. The administration of the general property tax was improved during the period by the substitution of continuous revision of the tax assessment rolls for the spasmodic revisions that characterized the past. Also since 1900 the returns on intangible property were increased more than four and one-half times as the result of making intangible wealth a special class of property and of subjecting it to a differential rate of taxation more in keeping with the income derived from owning it.

Since 1904, the city has financed public improvements largely by resorting to long term loans. It is interesting to note that there are no legal limitations upon the borrowing power of the city, except that the municipality must obtain consent of the general assembly and the local electorate. But only in two instances was such consent refused.

Students of municipal government interested in the history of American city government and in the problems of municipal finance will find this a useful and valuable study. The reviewer regrets, however, that the author felt it necessary to restrict himself to such a concise account. We have, for example, a very sketchy account of the city's financial experience in the handling of its numerous public service enterprises. One would also like to know more about the city's experience with differential tax rates. Budgetary practices are barely considered. Such matters as auditing and accounting control, the custody and disbursement of funds, and purchasing are entirely omitted. Scarcely any attempt is made to appraise the city's financial policies during this period, and as a consequence the study is descriptive rather than analytical and critical.

MARTIN L. FAUST.

WHAT ABOUT THE YEAR 2000? (Published under the direction of the Joint Committee on the Basis of Land Policy, Frederic A. Delano, Chairman.) Washington, D. C.: American Civic Association, 1929. 168 pp.

This extensive summary was prepared by a representative committee of well-known experts under the leadership of Mr. Delano. No claim is made to either extensive original research or any particular doctrinaire point of view, economic, political or social. The work is essentially a compendium of well-organized facts relating to the existing land resources in this country and an analysis of the land policies which have been followed either by the federal or the state governments both in the conservation and in the distribution of lands.

In so far as the facts are projected into the future they are considered in the light of conditions that might arise in the year 2000 when the probable population of the United States would be approximately 200,000,000.

Those interested in the general question of our land resources and their adequacy for future use in creating food and other necessities of life will find this book of considerable service because of its richness in material and its authenticity. Those who seek any suggestion of a new social order, or concepts of radical changes in the future, will be disappointed. There are a few timid ventures into the realm of reform, but they do not project themselves beyond their own shadows.

If we assume that the demands of the future will remain the same as those of the present and if we are willing to accept the view that our creative genius will not materially change our social and economic life during the next two generations, the facts presented in this report leave us fully confident that we shall continue to maintain a reasonably high standard of living and a state of civilization no lower than that which we have so far achieved. Most of us are unwilling, however, to accept such a standard or such a prospect for the future.

The chapter on city planning is in keeping with present-day thinking, but it lacks that perspective

and imaginative content which might be suggested by the most casual consideration of the failure of our modern urbanism.

The criticism made of this excellent report is not advanced because of any inherent faults of the book in the light of what it endeavors to set forth, but merely as a suggestion for another inquiry that will deal with the future more boldly and perhaps more imaginatively.

CAROL ARONOVICI.

Beverly Hills, California.

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MUNICIPAL REPORTS

KENOSHA, WISCONSIN. *Seventh Annual Report for the Year Ending December 31, 1928. By William E. O'Brien, City Manager.* 53 pp.

In general the composition of this report is fair. The illustrative material is good, and the physical make-up is above the average. The size of type, however, is too small to be easily read and no emphasis whatever is placed on important facts. The few charts are clear and quite illuminating but only one picture graces the pages. The more significant features include a page of interesting facts about the city, a chart of the administrative organization, a list of accomplishments during 1928, and a page of proposed activities for 1929. One is disappointed to note that out of the twenty-two accomplishments all but four pertain to public works activities, and that about the same proportion applies to the proposed activities.

NEW LONDON, CONNECTICUT. *Annual Report for Year Ending September 30, 1928. By William A. Holt, City Manager.* 87 pp.

This report lacks distinctiveness mainly because it is almost void of any illustrative material. There are no charts at all and the views for the four pictures could have been taken in almost any city in the country as far as the casual reader can observe. The reviewer sees no feasible reason for including a picture or other illustrative material for that matter in a report unless it has a definite function. The context is fairly well apportioned among the various activities, except in case of finance which occupies thirty-three of the eighty-seven pages. If an auditor's report must accompany a general municipal report then it should be issued as a supplement. The report proper should contain only such summary financial statements as will give the source of money expended and for what it was spent.

SPRINGFIELD, OHIO. *Annual Report for 1928. By Robert W. Flack, City Manager.* 100 pp.

On the basis of attractiveness this report ranks high. Another feature worthy of special mention is the nature of the letter of transmittal. Mr. Flack gives a brief comparison of amount of work done and costs at the present time and fifteen years ago when Springfield adopted the council-manager form of government. For example, he states the per capita debt on January 1, 1914, was $27.00, now $11.80; cash and investments in sinking fund, January 1, 1914, $198,000, now $754,000. He further observes that in Springfield with a population of 74,000, all the administrative work of the city including that of the manager, the manager's general department, the city treasurer, city clerk, city auditor, city solicitor, purchasing, permit and license department, and all stenographic work, is performed by seven people. Another rather unique feature is the inclusion of four pages of comparative statistics for cities of Ohio. Such data will help the reader to make a more intelligent appraisal of the work done in his own city for it affords him a means of comparing certain costs with similar figures for other cities. The length of this report and scarcity of illustrative material prevent it from ranking among the best.

CLARENCE E. RIDLEY.

REPORTS AND PAMPHLETS RECEIVED

EDITED BY WELLES A. GRAY

Assistant Director, Municipal Administration Service

Units of Measurement for Street Cleaning, Refuse Removal and Disposal.—By Clarence E. Ridley, secretary, National Committee on Municipal Standards. Tentative Draft, September, 1929. 23 pp. (Mimeographed). This analysis of the factors involved in setting up measurement standards for street cleaning and the removal and disposal of refuse was prepared for the use of a committee from the International Association of Street Sanitation Officials which is coöperating with the National Committee on Municipal Standards. It should be of general interest, however, in view of the data on street sanitation which it presents. It includes, also, suggested forms for preparing administrative work programs and for reporting actual costs and other data, together with a list of factors to be considered in comparing the unit costs of different cities.

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Congestion and Its Relation to Important Social and Health Problems as Obtained from the Detroit Housing Survey.—By S. James Herman, Executive Director, Michigan Housing Association. In *City Health*, Bulletin, Detroit Department of Health, July and August, 1929, vol. XIII, nos. 7 and 8. 32 pp. Here is an excellent study of housing conditions in Detroit which devotes particular attention to such social problems as juvenile delinquency, major crime, infant mortality and deaths from pneumonia and tuberculosis. Maps, tables and graphs are included.

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Salary Survey, Principal Cities of the United States under Civil Service.—By the Department of Civil Service, Seattle, Washington. May, 1929. 4 pp. A complete schedule of the monthly wages paid to the holders of 200 different classes of jobs in 21 governmental units now operating under civil service rules. These units all range from 200,000 to 1,000,000 or more in population, and include 16 cities, three counties and two states.

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List of Principal Additions to the Library, June–August, 1929.—By the National Institute of Public Administration. September, 1929. 10 pp. (Mimeographed). Although this list simply gives the recent additions to the library of the Institute, it will serve in a most handy fashion as a reference list of the more important materials published recently on government and public administration.

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Report of the New York State Board of Housing.—March 1929. 96 pp. Legislative Document (1929) no. 95. Those interested in housing reform should obtain a copy of this report, for within its covers are discussed all the ramifications of the housing problem as it exists in New York State. Of particular interest are the collection of data on housing in New York City, the facts and figures on vacancies in old and new law tenements in recent years, and the descriptions of the work of limited dividend housing companies.

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Salaries of County Officials in Wisconsin, 1929.—Compiled by Celia Harriman, Municipal Information Bureau, University of Wisconsin. September, 1929. 13 pp. (Mimeographed). This compilation brings up to date statistics on this same subject previously issued by the Bureau.

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Why "Public Credits" is the Logical and Practical Solution of the Housing Problem of the Lower Income Group.—By S. James Herman, Executive Director, Michigan Housing Association. June, 1929. 16 pp. This is a reprint of a paper read by Dr. Herman before the Conference of Town Planning, Institute of Canada, at its 1929 meeting. In it are presented the arguments for and against the use of public credits as a means of providing the capital necessary to finance large scale housing projects.

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Current Research in Law for the Academic Year 1928–1929.—By Marion J. Harron, the Institute of Law, Johns Hopkins University, 1929. 218 pp. Here is an interesting check list of the pieces of research in law carried on during 1928–1929. The bibliographer and the researcher in law will find this volume useful.

JUDICIAL DECISIONS

EDITED BY C. W. TOOKE
Professor of Law, New York University

Zoning—Mandatory Removal of Nonconforming Business.—In *State* v. *Hillman*, 147 Atl. 294, the Supreme Court of Errors of Connecticut upheld the conviction of the defendant for continuing his business in a restricted district contrary to the zoning regulations of the city of Bridgeport. The ordinance authorized a refusal of a permit to rebuild by owners of a nonconforming business when more than fifty percent of the structures had been destroyed by fire or other casualty. The court upholds such a provision as valid generally, although as applied to the facts of the instant case such a holding may not have been necessary to support the decision. The defendant's business was that of repairing, steaming and burning barrels which had been used to hold oil, fish, pork products, etc., and the operation resulted in the emission of noxious odors and heavy smoke. The court expressly holds that the business constituted a nuisance. If necessarily such in fact, the power of the city to abate it, or to refuse permission for the restoration of buildings to be devoted to such use, cannot be seriously questioned.

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Streets—Vacation—Effect on Rights of Abutting Owner.—In *Young* v. *Nichols*, 278 Pac. 159, the Supreme Court of Washington affirmed a judgment enjoining the erection of a building upon part of a public court, which the city authorities had voted to vacate. The owners of property on one side of the court had petitioned to have the public right in a strip of land contiguous to their property vacated and the lessee of one of them planned to erect a building covering part of the area. The court held that the action to vacate was ineffective so far as the petitioner, a nonconsenting abutting owner, was concerned; that his special rights could not be taken away without compensation; and that the facts showed that the purpose of the action was not to serve the public but a private interest.

In *Anderson* v. *Nichols*, 278 Pac. 161, the same court held void, as against an abutting owner who had not consented to or been compensated for, a license granted by the city for a valuable consideration to a private person for the purpose of extending his market stalls. The opinions in these cases refer to numerous decisions of the same court, which has uniformly vindicated the right of abutting property owners in streets against encroachments by private persons or public authorities.

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Automobiles—Effect of State License Tax on Powers of Municipality.—The Supreme Court of Georgia, in *City of Waycross* v. *Bell, et al.*, 149 S. E. 641, affirmed a judgment enjoining the city from proceeding to collect an occupation tax from operators of motor bus lines under a municipal ordinance. A State Tax Act expressly exempted operators who were required to pay a state license tax from local municipal license tax. The city claimed that this exemption did not prevent the assessment and collection of an occupation tax, that the tax was in effect a revenue measure rather than a license tax such as was forbidden by the statute. But the court held that the term "license tax" included both a charge imposed under the police power and a tax imposed for the sole purpose of raising revenue. Accordingly, the particular portion of the tax ordinance which sought to impose a tax upon a business exempted from municipal taxation by the state of Georgia was invalid.

There was a single vigorous dissent by Gilbert, J., based upon the rule that equity does not afford the extraordinary relief of injunction against a municipality merely because the enforcement of an ordinance may result in serious injury. The majority of the court, however, seemed to doubt the efficacy of declaring the ordinance invalid and affirmed the order enjoining its enforcement.

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Torts—Statutory Liability of School Districts.—In *Dawson* v. *Tulare Union High School District, et al.*, 276 Pac. 424, the California District Court of Appeal, Third District, reversed a judgment of nonsuit in favor of the district for injuries received by a pupil due to the fall of an upright piano from a "dolly" in the school gym-

nasium. The piano had been left in an unstable position so long that the notice of its dangerous condition was brought home to the school authorities. The judgment dismissing the action as against the school directors was sustained. The California statute (Statutes 1923, p. 675) imposes liability upon school districts, as well as upon counties and other municipalities, for damage due to negligence in the care of the buildings and grounds, provided the corporation has notice of the defect. But the statute does not require actual notice; the long-continued existence of a dangerous condition may establish constructive notice. Knowledge by an officer who has authority to remedy the condition will be notice to the corporation. The California statute is an enlightened piece of legislation, which should be enacted in every state which still clings to the now archaic principle that liability in tort is to be determined by applying worn-out tests of governmental or proprietary functions.

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Home Rule—Municipal Functions—Operation of an Ice Plant.—In *City of Denton* v. *Denton Home Ice Co.*, 18 S. W. (2d Series) 606, the Commission of Appeals of Taxes, Section A, holds that the city under its home rule charter may erect and operate a plant for the manufacture and sale of ice to residents. The statutes give the city the express power "to manufacture its own electricity, gas or anything else that may be needed or used by the public; to purchase and make contracts with any person or corporation for the purchasing of gas, electricity, oil or any other commodity or article used by the public and to sell the same to the public upon such terms as may be provided by the charter." The charter provides for the raising of funds for the purchase or erection, and operation of any public utility. The court concludes that the manufacture and sale of ice may be a public utility and that under the statute and the charter the city has power so to constitute it. This answer to the questions certified to the court was practically a direction to the lower court to dissolve an injunction which had been granted against the proposed action of the city authorities.

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Attachment of Municipal Property by a Foreign Jurisdiction.—In *Harmon* v. *City of Fort Lauderdale, et al.*, 234 N. Y. S. 196, the Supreme Court of New York, Special Term, sustained an attachment levied against the securities of the defendant, the Broward County Port Authority, a public agency of the state of Florida. The defendant maintained that the certificates of indebtedness and bonds were public property, funds and revenues of said municipality held for public purposes. The court held, however, that the purposes for which the Port Authority was created were primarily private and proprietary in nature and that therefore they were not to be considered exempt from attachment. The courts of this state uphold the jurisdiction of local courts over foreign municipal corporations and refused to follow the decisions in some of the other states such as Illinois, Maryland, and Tennessee, exempting them from suit because such actions would seriously embarrass them in the exercise of their governmental functions.

The rule uniformly applied is that the property of municipal corporations used for governmental purposes is exempt from attachment and execution. The term governmental as used in this connection is much broader than when used to predicate exemption from liability in tort. Thus municipally owned utilities are considered to be proprietary so far as liability in tort is concerned, but the property of the waterworks department of a city is uniformly held to be exempt from execution. The cases cited by the court to sustain its position that the functions of a public Port Authority are private and proprietary in nature relate to the application of that term to other matters than liability to execution. While the reasons given for the decision of the court seemed to be erroneous, the effect of the ruling is not a serious interference with the activities of the defendant as it may obtain the release of the attachment by filing a bond to secure the plaintiff on any judgment that may be rendered. Upon this latter ground, that the attachment will not seriously interfere with the activities of the municipality, the decision may be supported.

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Ultra Vires Contract: Recovery Against City for Benefits Received Under an Invalid Agreement.—In *City of Bristol* v. *Dominion Nat. Bank*, 149 S. E. 632, the Supreme Court of Appeals of Virginia refused to permit the defendant to recover on a counter claim based on a quantum meruit count for benefits received under an ultra vires contract entered into by the city and a group of property owners who sought to improve their land for subdivision. The action was for

unpaid taxes and the answer set up an agreement between the city and the defendant to exempt the property from taxation for a period of ten years. This agreement was held to be void under the express prohibition of section 183 of the state constitution restricting exemptions from taxation. The court held that the contract could not be sustained as an agreement to pay taxes in advance, since the assessed value of the land in ten years or the future rate of taxation would not be uniform and was therefore void under section 168 of the state constitution. Nor could the contract be enforced by virtue of its being executed or ratified. The court further held that the fact that one of the members of the counsel was interested in the development rendered the contract void as against public policy, even though he had refrained from voting upon the resolution.

The contract to exempt property from taxation being indivisible and accordingly void in toto, no part of it could be upheld. The city would not be liable on a quantum meruit for benefits received under such a contract, since there can be no obligation implied in law when the act sued upon is itself illegal. The improvements, though public in nature, were voluntarily made and under the circumstances it would be against public policy to permit the defendant to recover for the expenditures made by them.

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City Manager Plan—Indiana Law Declared Invalid.—By a decision handed down September 24th, not yet reported, the Supreme Court of Indiana in the cases of *Keane* v. *Remy, et al.*, and *Keane* v. *Holmes, et al.*, held that the "Act to provide alternative forms of government for cities" was void. The actions were brought against the defendants as election commissioners to restrain them from expending moneys of the city of Indianapolis for holding an election on November fifth, 1929, for the purpose of electing city commissioners under the city manager form of government. The statute in question was adopted in 1921 (Acts 1921, ch. 218, p. 594). Under the act, an election was held in June, 1927, at which the majority of votes were in favor of the city manager plan. The attack made upon the constitutionality of the statute and the proceedings already taken thereunder by the city were based upon the provision of section 3, which requires that the petition preliminary to such an election must be signed by at least twenty percent of the qualified voters at the preceding general city election and that the city clerk within five days after such petition is filed shall examine the same and certify that the requisite number of qualified voters have duly signed the same. In the city of Indianapolis there were more than 95,000 voters at the general election prior to the 1927 special election and the petition therefore required the names of some 19,000 qualified voters. The court holds that the duty of the clerk was judicial and could not be delegated, that it was a physical impossibility for him to personally examine and certify as required by law, and that therefore the election of 1927 was a nullity. Section 3 was therefore declared to be impossible of application to the city of Indianapolis and void and of no effect. As the law is one intended to be of general application and so required by the state constitution, its failure to be operative in one city renders the entire act unconstitutional.

Judge Martin wrote a strong dissenting opinion, concurred in by Chief Judge Gemmill, in which he maintained that the duties of the clerk were ministerial and administrative, had been duly performed and were not subject to attack at this late day. It seems clear that the duties of the city clerk might well be construed to be ministerial rather than judicial; under the facts, as they appear, the conclusion seems inevitable that such was the intention of the legislators and such intention by the accepted canons of construction should govern.

The decision of the court seems especially unfortunate as it affects not only the movement for better government in Indianapolis, but also upsets the organization of other cities which have taken advantage of the provisions of the act.

PUBLIC UTILITIES

EDITED BY JOHN BAUER

Director, American Public Utilities Bureau

This department has been conducted for the purpose of presenting and discussing currently the more important public utility developments from a public standpoint. Considerable attention has been devoted to the subject of policies and methods of ratemaking. In our opinion, based upon quite extensive research and personal experience, the commissions are working with an unmanageable and unsound rate base. They are following generally the doctrine of "fair value" as laid down by the courts, which is not precisely defined, and which is not capable of exact and convenient administration. It is, moreover, financially unsound, inasmuch as it involves variations which do not depend upon actual costs incurred by the companies in establishing the properties and furnishing the service.

Besides the matter of rate base and procedure in ratemaking, other difficulties or gaps have developed in our systems of regulation since they were established about twenty-five years ago. They include dealings with holding companies, the development of interstate service connections, also questions of organization and functions.

As previously set forth in this department, a searching investigation was provided for in the state of New York by the last legislature. A special Revision Commission was created and has been conducting hearings. It has invited criticisms and constructive proposals from every direction. Among the various public groups that appeared, was the Utility Consumers' League of New York, which developed out of the rate controversies of recent years. It has devoted itself not only to particular cases, but has been concerned also with the general system of regulation. It has become convinced that the difficulties with which the public is confronted are due principally to the inadequacies and gaps of the system, and much less to individual propensities of commissioners.

This League was represented by Maurice Hotchner, general counsel, and Joseph B. Milgram, Secretary, 200 Broadway, New York City. A concrete program for the revision of the Public Service Commission Law was outlined, and was presented to the Revision Commission for due consideration. This program has been widely circulated among public organizations, with the purpose of centering public-minded groups upon the particular proposals. For the most part, it is in agreement with the ideas presented in this department during recent years, and, to a considerable extent, was predicated upon the writings of the editor, particularly upon the discussions in this department. We consider the program as fundamental not only in New York, where regulation is under active public scrutiny, but equally important wherever the prevailing system has come under public criticism and where there is honest search for effective modification. We therefore present the program in full, and shall be glad to receive comments and suggestions which will be useful not only in New York, but in our further consideration of regulation.

PROGRAM SUPPORTED BY THE UTILITY CONSUMERS' LEAGUE FOR THE REVISION OF THE NEW YORK PUBLIC SERVICE COMMISSION LAW

The Utility Consumers' League of New York has given careful consideration to the present system of regulation under the New York statutes, and is convinced that radical revision is necessary with respect to the following extremely important points:

1. Valuation and Rate Base

The chief defect in the present system is the lack of a definite rate base upon which the companies are entitled to a return. This is due in part to the vagueness of the statute and partly to a line of court decisions which, under the present system, have largely left the Public Service Commission without capacity to adjust rates for the larger number of properties operated under widely varying conditions.

The present rate base is intended to consist of the "fair value" of the properties used in public service. The amount depends upon reproduction cost, actual cost, and other elements which are not capable of exact and regular determination. Hence, every effort of rate adjustment produces sharp conflict of interest between the companies and the public. The procedure is cumbersome and expensive. The system is unmanageable from an administrative standpoint, and is financially unsound.

What is needed is the establishment of a definite rate base which will be regularly shown in the accounts of the companies subject to regular and consistent supervision by the Commission. To provide for the establishment of such a rate base, we deem to be the foremost task of this Commission. Without such an exact basis of ratemaking, regulation is bound to be largely futile.

2. The Commission to Represent the Public

The original intention of the Public Service Commission Law was to establish an agency which should represent continuously the public interest, to the end of assuring adequate service at reasonable rates. In actual experience—perhaps largely through a succession of court decisions—the Commission has been transformed mainly into a judicial body. It sits as a court in cases that are brought before it; it receives testimony from opposing parties, and bases its decisions upon formal records. Except in rare or minor matters, it does not work directly and constantly for the protection of the public. It should be brought back to the function originally intended: the direct representative of the public. It should operate under an exact system of regulation as laid down by statute, and should act merely in administrative capacity in assuring adequate service and reasonable rates under conditions of maximum economy and minimum costs placed upon the public.

3. Municipal and Consumer Representation

Under the present law, no municipality has the legal right or status to appear in a rate or other public utility action. Where cities have appeared before the Commissions they have been there by tolerance and not as a matter of right. The same is true of public organizations, except in the case of individuals who are directly affected by any particular proceeding.

The law should be changed so as to give every municipality the right to participate in every utility case. This should apply also to consumers and consumer organizations, and to any group which has a real interest in the subject-matter. This right should pertain not only to actions before the Commission, but to cases before the courts.

4. Constant Action by the Commission

Under the system here proposed, the return to which any company is entitled would be shown by the accounts. It would be a simple matter in any instance to determine whether higher or lower rates are necessary or warranted. The Commission would then have its time free to work directly and steadily for the interest of the public in promoting efficiency, improved facilities, and better organization, to the end of making adequate service available to the public at minimum cost, with definite returns to the companies. The Commission should have technical staffs adequate to carry on this work effectively, with salary standards to attract and keep good men. Appointments should be based upon technical efficiency and public interest. The work of the Commission should serve in large measure to counteract the lessening of incentive which may follow the more exact standards of regulation and which may be due to the monopoly conditions of the utilities. Regulation must replace competition as the active force of progress.

5. Capitalization and New Construction

At present the Commission exercises virtually no power over new construction. It has control only over the securities issued, and virtually must give its approval after the construction has been completed, even if there is doubt as to the wisdom of such construction. It should have full power over construction programs. Every important extension proposed by the companies should have the prior approval of the Commission, which also should exercise supervision over construction and should certify for capitalization only the actual and reasonable costs of installation. The Commission should have power also to determine on its own account what changes, improvements and extensions are necessary and to order their installation. Only actual cost as reasonably determined should be allowed by the Commission as the basis of new security issues.

6. Holding Companies

The Commission now has virtually no control over holding companies. This is an extremely serious gap in the law. It has resulted in excessive costs imposed upon the public, and in helping to destroy the effectiveness of regulation. Directly and indirectly, it has imposed charges upon the public, without a record of costs to the Commission, and without control over their reasonableness. The Commission should be given complete control over every holding company relation. Every contract between an operating company and holding or affiliated company, should be subject to approval of the Commission, which shall require full details as to materials, property, or service rendered and their actual cost to the affiliated interests. The Commission shall require complete financial reports from every holding company or affiliated company which in any way exercises control or has contracts with any operating company within the state. Such reports shall be as complete as in the case of operating companies. The Commission shall have power to examine the books, and to determine the reasonableness of all payments made to any such affiliated interests.

7. Public Ownership and Operation

Since every public utility has virtually a monopoly in its territory, and since this monopoly is fostered by law in the interest of the public, and since every system of regulation has been established for the purpose of protecting the public against arbitrary monopoly power, it is desirable also to give every municipality the right to institute public ownership and operation within its own territory. There shall be the right, moreover, to institute public utility districts, including the territory of two or more municipalities or other subdivisions of government. Whenever such a policy of public ownership and operation is instituted, any existing facilities shall first be purchased at a price equal to the valuation of the properties upon which the companies have the right to a return.

While we do not espouse directly the doctrine of public ownership and operation, we believe that the right to proceed with such a policy should be left to every governmental subdivision, including the state itself. The existence of such a right will serve greatly to prevent arbitrary action on the part of the companies and to stimulate activity for the benefit of the public. This right is needed to supplement any direct system of commission regulation.

8. Industrial Court

Notwithstanding the great reduction of judicial questions by the plan of regulation that we propose, we believe that a special industrial court should be created, which would have jurisdiction with respect to all matters of dispute that may arise out of orders and decisions of the Commission. This court, moreover, should have jurisdiction over all other matters that arise out of the actions of special commissions or administrative bodies of the state. Unless any order of the Commission is directly accepted by the company, it shall be deemed incomplete until it has been passed by the industrial court. The Commission will thus be relieved of all judicial responsibilities. The creation of a special court, moreover, will provide a practical measure by which all local utility cases can be kept, in the first instance, within state jurisdiction. It will meet the evil that has developed on the part of the companies when they go to the federal courts for relief from commission orders and decisions. The industrial court would be controlled by the statute which would determine the basis and methods of regulation.

9. Commission Appointments

Appointments to the Commission must be raised to a much higher level than has generally prevailed in the past. Every new commissioner as appointed should have outstanding qualities with respect to technical training and experience in the field of public utilities. He should have, moreover, a recognized interest in public affairs; he should have no affiliations, directly or indirectly, with any public utility company. He should, however, be in every way fair, so as to protect not only the interest of the consumers but those of the investors and the many thousands of employees in the utilities. The salaries should be sufficiently high so as to obtain the exclusive and constant attention of every commissioner to the public responsibility.

10. Financing the Commission

To make the Commission the active agency upon which the public may rely, it must maintain a large and efficient staff to maintain the constant contact with the industry and the various companies and properties. The annual

expenditures of the Commission must of necessity be increased. To meet the expenses of such a commission, we believe that a special levy should be made upon the gross earnings of the utilities. The Commission shall each year prepare a budget of the necessary expenses, and shall fix a sufficient percentage levy upon the gross earnings of the companies under its jurisdiction, so as to cover the estimated expenses. In this way the utilities themselves and the consuming public will bear directly the cost of providing the public protection in these important industries in which a monopoly has been recognized in our system of law.

11. No Unreasonable Spread of Rates

At the present time electric rates in general appear excessive in most communities of the State. This is true especially of domestic or residential rates. It is less true of commercial, and, particularly, power rates, where the consumers have available alternative supplies. There are instances where power rates are lower than is justified by the cost of production and delivery.

The present electric rates structures are chaotic in the extreme, both as to general level, form and spread or differentiation between various groups. There is great need for the establishment of uniformity of rate structure throughout the State. It is particularly necessary to reduce the wide spreads that exist between the small domestic consumers and the large users.

There should be no device or method of cost calculation by which arbitrary and excessive burdens are placed upon small consumers. While we believe that rate schedules should be constructed with the purpose of stimulating maximum utilization of facilities, this should not be accomplished at the expense of the smaller users. The bulk of the people in most of the cities can never become large users of electricity, and they should not be burdened with excessive rates, either for the purpose of keeping up excessive revenues to the companies, or to make possible very low rates for the convenience of the well-to-do customers. The poorer people should share in the benefits of economy and low costs.

12. Proper Publication of Rate Changes

The Commission at present provides that publication of new rates or changes in rates is sufficient if the tariff or schedule is filed with the Commission and copies posted in the main and branch offices of the utility company. Under this provision, companies have been able to secure important rate changes and increases without effective notice to the public. The result has been that the period in which protest might have been made, with suspension of the application, had elapsed before the customers had knowledge of the changes. Through no fault of their own they forfeited money, and also, their rights to investigate modifications before they were permitted to go into effect.

In the Brooklyn Borough gas rate case, the Commission on August 1st, 1927, granted a rate increase to the company, without real public notice. When many of the customers first learned of the new rate from bills rendered more than 60 days after the rates officially went into effect, they commenced an action which took 21 months before decision was reached, costing the Commission, city and consumers much time and money, but resulting in two rate decreases for the consumers. No such change should have been allowed before thorough public notice and investigation. There have been many similar instances which hereafter should be prevented by statute.

We believe that "publication" of rate changes should be complete, and in advance of their going into effect. Customers should be given notice in their bills at least two months before the changes would go into effect. There should also be special newspaper publications as news, not merely as legal notices. It is absurd to expect that hanging a 15- to 20-page pamphlet in one main office and three branch offices, rarely visited by consumers, can give sufficient notice of a rate increase to the customers, as in the Brooklyn Borough gas rate case.

13. Clarification and Enforcement of Statute Prohibiting Service Charge

Article 4, Section 65, Sub-Division 6 of the Public Service Commission Law prohibits a service charge as a part of gas rates. We believe that the intention of the Legislature was clear as to the purpose and effect of this provision. The meaning of "service charge" is thoroughly understood by all who are conversant with public utility rates. Notwithstanding this clear prohibition, the Public Service Commission nevertheless has countenanced the establishment of an indirect service charge in the form of so-called "initial charge" rates in at least 37 instances. In the recent decision in the Brooklyn Borough

Gas Co. case, the Commission has declared that the initial charge of $1.00 per month per customer for the first 200 cubic feet of gas or less per meter per month does not violate the statute.

We are firmly convinced by our investigations and experience that the service charge is inequitable to the small consumers. The legislative prohibition is entirely proper and should be unmistakably continued. While we insist the statute has been clear (and has been made to appear ambiguous or dubious in meaning by the Commission itself), we believe the language should so be clarified as to express its purpose in unmistakable terms: That the service charge shall be illegal in any form whatever, particularly the form of an initial charge rate wherein a small quantity of gas is allowed in the amount of what otherwise is manifestly a service charge.

As a result of our experience in several rate cases, the defects mentioned in No. 12 and No. 13 stand out as having created most difficulty for gas customers, as having been responsible for higher rates, and for causing general dissatisfaction with the actual administration of the statute.

MUNICIPAL ACTIVITIES ABROAD

EDITED BY W. E. MOSHER

Director, School of Citizenship and Public Affairs, Syracuse University

Self-Government and the Metropolitan Area.—The rapid development of metropolitan areas in Germany is looked upon by Oberbürgermeister Böss of Berlin as a menace to the normal growth of civic interest in Germany. The very size of these new administrative units makes it practically impossible for any considerable number of citizens to participate in the administration of the government. This is evidenced by the number of representatives elected to the council of a large city. For instance it has been proved that in cities of 5,000 inhabitants there is on the average one representative for every 450 inhabitants. In medium-sized cities of about 30,000 inhabitants there is one representative to a thousand, whereas in a metropolitan city there will be but one representative to seven or eight thousand. Indeed in Berlin the ratio is one to 19,000.

In view of the complexity of the duties involved in municipal administration it is becoming more and more difficult to depute responsibilities to others than officials. For instance, the number of members of various advisory commissions, boards of arbitration and the like, is decreasing as a matter of course. As a consequence the sense of responsibility for local self-government is waning. Furthermore there is increasing apathy in many parts of the citizenry to matters of communal interest.

The situation seems the more serious to the Oberbürgermeister because the city is normally the chief center for the development of ideas of self-government. If the citizen does not become aware of his public responsibilities in the city he is not likely to in the state or in the nation. Accompanying this probability is the growing tendency to turn over the representation of the public to professional politicians or to those who have an axe to grind.

As one of the chief dangers in the tendency toward centralization is that any type of state will easily evolve into a police state, it is therefore logical that this article concludes with a plea for the autonomy of the city as opposed to the centralized control, whether it be of the province, the state or the empire.—*Der Städtetag*, May 21, 1929.

German Municipal League.—The German and Prussian Municipal Leagues consist of individual cities as well as organizations of groups of cities. Cities with a population of more than ten thousand inhabitants become regular members while those of less than that number may become associate members. In the year 1928–29 the total membership included 283 cities with a population in excess of twenty-six million inhabitants.

The scope of the activities of the combined Leagues is indicated by the character of the standing committees. According to the report it is obvious that the assignment comprised all of the important interests arising in municipal government. For instance, there was a committee on finance, another on administrative reform, one on personnel, one on schools, welfare, statistics, economic undertakings, transportation and the like.

Among the reports considered during the year just closed was one dealing with the proposals for the demarcation of functions as between the empire, the state and the commune. Suggestions or recommendations were made with reference to all of the important problems that may arise in the borderland territory between these several organization units, such as the rights of officials, the administration of the police system, schools, and public welfare.

Statistics are given which show concrete evidence of the extent of the activities of the league. It is pointed out that the permanent staff consists of twenty-two scientific workers and fifty clerical assistants. In the course of one year over eighty-three thousand communications were received by the staff and the number of letters and the amount of printed material sent out were estimated at one hundred and forty-eight thousand.

The organ of this national association of cities is *Der Städtetag* which appears monthly.—*Der Städtetag*, September, 1929.

Social Welfare.—A summary of the various laws regulating social welfare in thirteen European countries appears in the sixteenth issue of *Der Evangelische Wohlfahrtsdienst*. The survey is most comprehensive in scope, covering all the

important laws for social welfare and their relation to private welfare work as well as the results achieved. This statement is supplemented by an extensive list of pertinent literature.

Social welfare legislation is classified under five headings: (1) The welfare of children and young persons; (2) Poor laws; (3) Social insurance; (4) The care of men disabled in the World War; (5) Measures to combat tuberculosis, venereal disease and drunkenness.

The review under consideration limits its attention to the welfare of children and young persons, a section being devoted to each of eleven countries. Taken as a whole, it appears that there is practically no important aspect of the life of the child upon which some legislation has not been passed in one country or another. The range covered begins with pre-natal care and extends to the state provision of funds for underprivileged children in the university. Among other things legislation has been passed providing for the proper care of defectives, illegitimate children, those whose physical or moral welfare is menaced at home, vagrants, and those lacking educational facilities.

Several countries have adopted legislation prohibiting the attendance of children under sixteen years of age at motion picture plays unless these plays have been specially passed upon by an official or local committee.

In the case of each country reference is made to the type of organization which is responsible either on a nation-wide or local basis for administering the laws aiming to protect and advance the welfare of children. The installation of juvenile courts in the countries covered seemed rather general although in Russia the juvenile court was abolished in 1918 and the control given over to committees which consist of one schoolmaster, one judge and one doctor. In France subsidies are supplied to families with insufficient means and consisting of three or more children under seven years of age, the cost being divided equally between the commune and the state. Weekly payments are also made for one year after childbirth to women who lack means of support. So far as this summary goes, France is unique in having instituted a Superior Birth Council for the purpose of combating the decrease in the birth rate. This is a national organization with a minister as chairman and under the control of a commission appointed in each department of the state and sitting under the prefect as president.

Austria forbids children under fifteen years of age to smoke in public, to purchase tobacco, to frequent public bars, cafés, etc., or to engage in games of chance. Even public loafing is forbidden after nine or ten P. M.

The basic purpose of the welfare laws which affect the children of the German Empire is expressed in the following way: "Every German child has the right to an education, for physical, spiritual and social excellence, and in so far as this right is not fulfilled within the family, the public must step in."

These references will indicate the character of the condensed encyclopaedic article which was prepared by Dr. Hermann Stoehr in the issue of *Der Evangelische Wohlfahrtsdienst* quoted above. —*Local Government Abroad*, October, 1929.

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Regional Planning.—Representatives from the section of the Rhine and the Main met together last April for the purpose of organizing an association for a regional plan for this whole district. The purpose of this association is to keep in touch with the various cities involved so that there development may take place according to a unified program. Among the more specific objects are the taking of a picture from the air of the whole region, and the working out of a transportation plan between the various communities as well as plans for the proper distribution of open spaces, new settlements and the like. Nine cities of considerable size have up to the present time joined the association. These include Darmstadt, Mayence, Wiesbaden, and Frankfurt.—*Der Städtetag*, May 21, 1929.

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Public Housing Scheme.—Manchester is building a garden city on a large scale. The immediate housing program calls for the erection of one hundred and forty-two houses by direct labor. The ultimate plan provides for nearly twenty-five thousand houses, the whole unit to be surrounded by an agricultural belt. Important features of this municipal housing scheme are the setting aside of lands for public recreation, the preservation of certain buildings and woodland features. A golf course is also included in the plan.

The town of Walsall has a less ambitious but none the less noteworthy housing plan. Nearly twenty-two hundred houses are already occupied by householders, whereas the proposed plan calls for the erection of forty-five hundred. It is to be noted that because of a reduction in the cost

of house building there is to be a general decrease in the rent charged by the housing department of the town.—*Municipal Journal,* October 18, 1929.

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Consumption of Gas.—Since the War there has been a noticeable increase in the consumption of gas in North Germany. This is due to the increasing use for heating and industrial purposes. Certain industries have given up coal almost entirely. The rise in consumption obviously has been due to a decrease in cost. The lowering of prices is made possible by the consolidation of gas works into large units. Indeed it seems possible that in the not distant future a limited number of gas works may supply the whole province. This development may be accompanied by the importation of "distant gas" generated at the coal mines themselves. One of the most significant recent developments is the consolidation of gas works in and about Berlin. This included seventeen different units. Of these seven have been closed down in the meantime, as it has been found more economical to supply the gas from nearby works.

In the matter of consumption, the average per capita use among about twenty-five cities in Brandenburg is highest in Berlin. This amounts to 153 cubic meters.

The day is anticipated when there will be a network of gas pipes covering the whole province. These will supply not alone the homes and small industries but also the farmers, who may secure this convenient form of energy at a price that will be reasonable for the consumer and profitable to the producer.—*Zeitschrift für Kommunalwirtschaft,* October 10, 1929.

✻

Residential Restrictions Removed.—One of the predominant tendencies in the administrative reforms taking place in Germany at the present time is that of decentralizing so that the autonomy of the individual countries with respect to the empire may be maintained and developed. This decentralization increases the need of emphasis upon the community of interest which must finally permeate the whole Empire if it is to progress. The most essential means to this end is the public officials who are or should be the bearers of this spirit. In order to bring this about it is considered important to emancipate the officials from the limitations of residential requirements.

It is suggested that this may come about through a more active exchange of officials as between provinces and cities. A second means is the selection of public officials from various parts of the country, thus bringing in a wider outlook and different type of professional experience and a different viewpoint. It is well known that Germany has long adopted a policy of appointing non-residents to local positions. That is to say, that local patriotism has not succeeded in restricting the appointment of public officials to local residents. This observation holds particularly with reference to the German metropolitan cities. Evidence of this has just come to light as a consequence of a questionnaire forwarded to twenty-five or thirty cities. It was found that of 299 members of the magistracy 60 came from other parts of the empire and of 1928 higher officials 527 were non-residents. It is also noteworthy that considerable numbers of the officials in selected cities had their specialized training in another province or another country. Among 781 Prussian provincial officials 284 were born in a different province than the one where they were serving, 306 in another Prussian province, 147 in a non-Prussian state, 44 in a foreign country or a former part of the German Empire.

This open-door policy with reference to the appointment of officials may be looked upon as a guarantee of coöperation and the integration of the methods of public administration throughout the country.—*Der Städtetag,* May 21, 1929.

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Exhibition of Office Facilities.—The German Institute for Economy in Public Administration announces that its exposition entitled the Modern Public Bureau has been greatly extended. There are now nine rooms devoted to the various devices and means of improving the conduct of the governmental bureau. There are all sorts of forms from various types of governmental organizations to card catalogues, multigraphing machines, typewriters, various processes of bookkeeping, and the like. Provision is made for competent guides. All officials whether from the empire, the state, or the local community are invited.

This same Institute arranged last spring for a special course on the technique of office administration for the officials of German cities. The emphasis was upon practice rather than theory, but particularly had reference to the organization and distribution of work and the technical aspects of running an up-to-date public bureau. —*Der Städtetag,* May 21, 1929.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

EDITED BY RUSSELL FORBES
Secretary

Recent Reports by Research Agencies.—The following reports have been received at the central library of the Association since October 1, 1929:

Finance Commission of Boston:
Investigation of Payments for the Construction of Hyde Park High School.
Study of the Work of the Soldiers' Relief Department.

Taxpayers' League of St. Louis County (Duluth, Minn.):
Memorandum on the Cost of Schools.

Bureau of Governmental Research, Kansas City, Kansas Chamber of Commerce:
The Proposed City Pension System.

Civic Affairs Department, Indianapolis Chamber of Commerce:
Civil City of Indianapolis, Budgets and Tax Levies for 1930.
1930 Budget of the School, City of Indianapolis.
1930 Budget and Tax Levies for Marion County.

Schenectady Bureau of Municipal Research:
The Proposed 1930 City Budget.

Toronto Bureau of Municipal Research:
Motoring Safety, Story No. 1.

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California Taxpayers' Association.—Report No. 22, "An Analysis of the Governmental Organization and Expenditures of Solano County, California," has come from the press and is now being distributed. The report consists of three main sections: (1) governmental organizations and financial structure; (2) the highway system; and (3) education. A detailed study has been made of population growth, assessed valuations, tax rates, per capita costs, receipts, disbursements and all county institutions.

Progress is being made on the study of building costs in California, with special emphasis on the cost of school buildings. *The Tax Digest* will, from time to time, carry the findings made in this study.

All of the field work in the survey of the Pasadena city government and educational system has been completed. Tabulations and compilations are now being made, and it is expected that within six months the report will be made public. Considerable time has been given to the study of the structure of the Pasadena city government.

A study of per capita fire losses in selected California cities has been completed by the research department. The study shows that losses in thirteen California cities for 1928 ranged from a low of 43 cents per capita to a high of $4.44 per capita.

The Association is now engaged in a study and analysis of the cost of administration and teaching at the University of California at Berkeley and at Los Angeles. The field work is now in progress, and it is hoped within six months to make public the findings of the study.

The campaign for membership which has been undertaken under the direction of Rolland A. Vandegrift, now secretary of the organization, is being pushed energetically, and a considerable number of taxpayers have recently joined the organization. The newest county unit of the organization is Marin County, with a population of approximately 32,000 people and an assessed value of $28,000,000.

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Des Moines Bureau of Municipal Research.—The Bureau assisted in working out the maturities of a new city general obligation bond issue of $516,000 to take up deficits in special assessment bonds. This was made necessary by the decision of the Iowa Supreme Court which holds the city liable for deficits in special assessment bonds under certain conditions. The maturities have been so arranged that a city hospital bond issue of $95,000, the entire principal of which comes due in 1933, and a portion of a $300,000 refunding bond issue, which comes due in 1936, can be paid off without raising the tax levies for debt charges in those years. This will permit a saving of many thousands of dollars interest in future refunding charges.

The Bureau also analyzed the 1930 city, state, county and school tax budgets and urged in every instance that they be held down as much as possible. The total tax levies on property in the city of Des Moines will amount to about $7,559,000 in 1930 as compared to $7,270,000 in 1929. The increase was due to raising the state tax levy $121,000, the school $131,000, the city $73,000 and county hospital $30,000. The county tax budget was reduced $67,000.

An investigation by the Bureau for the board of supervisors showed that in the county and state hospitals for the insane, collections from relatives and guardians of patients has fallen off materially since 1928 when the service of a special collector was discontinued. Many old patient accounts are in arrears, and insufficient effort is being made to collect new ones. The Bureau recommended that action be taken to make these collections as a partial offset to the county tax levies for the support of the insane.

Investigation of the purchase of drugs used in the county pauper farm, insane hospital, and jail showed that these are purchased in small quantities at prices greatly in excess of current wholesale prices. Practically all these purchases have been made through one local druggist without requisitions through the county purchasing supervisor. The Bureau recommended that staple drugs be purchased in large quantities, that all requisitions be made through the purchasing supervisors, and that competitive quotations be obtained.

In view of the impending examinations for police officials above the ranks of patrolmen, to be held by the Des Moines Civil Service Commission, the Bureau prepared a report showing prevalent practices of other cities. In the past, police officials above the rank of patrolmen have been appointed by the commissioner of public safety, with frequent changes following elections of new commissioners.

At the request of the trustees of the Des Moines Water Works, a municipal utility, the Bureau investigated the wage and salary scale and hours of work.

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The Good Government League of Fort Worth.—When the Good Government League undertook the development of a bond program for the city, it discovered that the margin available for new issues under the New York 12 per cent Savings Bank Law was only about $5,800,000. A schedule was drawn up calling for the voting of $5,000,000, and attempting to care for two years' needs of each department.

An amount of $2,500,000 was included in the program for schools. Disregarding the pleas of the League that they conform to this, the school board called an election for October 26, asking for $4,000,000, estimated to be sufficient for four years. The League did not feel that it should engage in an active fight against the issue, but it did make public its interviews with the school board over the amount.

Based on this data, which showed that other much needed improvements would have to be postponed, the newspapers began an active fight on the issue. The outcome was a two to one defeat of the issue. It is understood that an election for $2,500,000 will be called at the earliest possible date, about April 26. Meanwhile, on April 5 the terms of four of the seven board members expire. No opposition has yet appeared, but it seems inevitable in view of this defeat.

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Institute for Government Research.—Henry P. Seidemann is now at work in Santo Domingo in the preparation of the budget recommended by the Dawes Commission. Mr. Seidemann and his associates are also devising a uniform departmental accounting and reporting system for the comptroller and auditor-general's office.

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New Bedford Taxpayers' Association.—The Association has been represented before two legislative commissions this past month. One commission is studying the proposed extension of the educational requirements in the state of Massachusetts. The Taxpayers' Association has objected to any increase in the compulsory school age because any such increase would be an additional burden upon the taxpayer at a time when the cost of education has increased very much faster than any other item of government. The state of Massachusetts already stands high in its educational requirements, and we cannot see why the compulsory age should be increased at this time.

A special commission, studying the entire matter of state civil service, also held a hearing. The Taxpayers' Association requested that changes be made in the civil service laws so as to restore the civil service as a merit system. In Massachusetts the State Civil Service Commission has under its charge the entire civil service list of all the cities in the state, as well as the state

employees. From the standpoint of the efficiency of the operation of the city departments, this system has many serious objections. It is hoped that some changes may be made in this law so that the conscientious heads of the city departments may have at least a fighting chance to build up an efficient personnel which is not the case to-day.

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The Taxpayers' Association of New Mexico.—The Association has completed a survey of the extent to which central purchasing prevails in the financial administration of rural schools. The rural schools are under the supervision of a county board of education, which supervises all purchases. In the preparation of the budget it has heretofore been the custom to set out a special appropriation for school supplies, janitor supplies, and library supplies for each school district. As a matter of fact the practice is to lump these appropriations in a general fund to be expended by the county board of education through the office of the county superintendent of schools. In a few counties of the state it is found that ap propriations for fuel are combined in a similar manner.

The Association has also under way an investigation of the cost of transportation to determine the average cost per mile and the average cost per pupil transported.

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Schenectady Bureau of Municipal Research.—The Bureau has just completed its final report on Schenectady's purchasing which was found to be very much decentralized. The report was examined by a committee of General Electric purchasing officers and also by Russell Forbes, secretary of the National Municipal League. Owing to the fact that a great mass of conflicting law will prevent such action, very little can be done at the present time to centralize the work of Schenectady's four buying agencies. However, the report will serve a highly useful purpose as a strong indictment of a governmental structure that will permit such diffusion of responsibility and effort.

The Bureau is working on a plan for the coordination of local welfare work. It is planned to visit a number of cities in order to examine their systems of administering welfare.

Members of the local legislative body have expressed themselves as being highly in favor of the revision of the present laws governing delinquency in taxes and assessments. The Bureau at the present time is drafting a local law on that subject which will shortly be presented to the council for its action.

The Chamber of Commerce and the Bureau have protested against the costliness of the proposed new municipal building and have asked the mayor to appoint a committee of technically-qualified citizens to work with the administration in an attempt to lower the cost of the structure. The mayor has assented to this request, and it is hoped that a satisfactory agreement will be reached on the matter.

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Utah Taxpayers' Association.—A representative of the Utah Taxpayers' Association was asked to address the Greater Omaha Association at Omaha, Nebraska, on October 14, to explain the plan of organization and method of operation in force in Utah. Fifty of the most influential men of that community met and are now planning to launch what will be known as the Nebraska Taxpayers' Association.

County and city budgets are now being prepared by budget officials, to whom the local committees of the Utah Taxpayers' Association are giving helpful assistance.

NOTES AND EVENTS

EDITED BY H. W. DODDS

Charter Forces Victorious in Cincinnati.—The cause of progressive, non-political city government again has triumphed in Cincinnati.

That is the outstanding result of the municipal election November 5. For the third successive time the people have refused to return the city government to the control of the famous political machine founded more than forty years ago by Boss Cox. Prior to the advent of the charter movement no "reform" administration had ever been reëlected in Cincinnati.

The election this year was a fight, as in the two preceding city elections, between the City Charter Committee, a citizens' non-political body, and the old Republican machine of Boss Cox's successors. Because of the heavy vote the count was not finished until November 12. The committee won six of the nine seats. The independents in the council race as usual proved of minor importance in the general result. Cincinnati's present city charter, established with the backing of the City Charter Committee in 1924, provides for a council of nine members elected by proportional representation, with a city manager under it.

The City Charter Committee carried the recent election by 78,545 votes against 50,919 obtained by the candidates of the old organization, not counting independent and ineffective ballots.

The Charter Committee, which is simply a volunteer body organized to keep the city hall out of the hands of professional politicians, based its campaign on the record of four years of charter administration and on the character of its candidates, all of whom were business or professional men of high standing.

The old machine based its campaign originally on a written platform and on nine candidates, eight of whom were former officeholders. The platform promised to do as well as the charter administration *had* done, while at the same time throwing as much mud as possible on the charter administration's record. While the campaign was still young, however, the organization found that the satisfaction of the public with charter performance made mud-slinging dangerous, so a new plank was added professing an extravagant affection for Colonel C. O. Sherrill, the city manager. The machine candidates meanwhile worked industriously at back-slapping and baby-kissing.

An interesting angle of the election is the fact that the few business men on the machine ticket again were slaughtered by the bolivars of the old organization, just as they had been two years ago. The bolivars will not have them, apparently. If the organization can hold together until 1931 it will have even greater difficulty, it is to be presumed, in getting business men on its ticket than it had this year.

The extent of the gang debacle is attested specially by the open admissions of machine leaders and candidates that the unpaid, volunteer charter organization was able to cover the city more thoroughly and efficiently in this campaign than their own paid professionals. The significance of this lies in the fact that only five years ago the local Republican organization was proclaimed as the most perfect city machine in the country.

DAVID S. AUSTIN.

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Cleveland Elects Promising Council.—For the first time since the introduction of the manager plan, Cleveland will have a city council not definitely dominated by Maurice Maschke and the old guard of the Republican party. The usual Republican majority of sixteen, and often seventeen, votes has been reduced to thirteen—a bare majority. Three of the thirteen have independent leanings. Two were endorsed by the nonpartisan Progressive Government Committee. The opposition is comprised of twelve councilmen elected with the support of the Democratic party, the Progressive Government Committee and independent voters. Of these, eleven are nominally Democrats and one Republican.

The calibre of the new council, as a body, is much higher than in recent years. Phillip W. Porter of the *Plain Dealer* describes it as "easily the best ever elected." There are a number of able independents in the opposition and a few, even within the ranks of the Republican party itself, who are not always regular. It is significant that nine of the G. O. P. old guard, many holding key positions in the present council, are

replaced. Hence the Republicans will be forced to make some drastic changes in their councilmanic leadership, and the indications are that their control will be constantly threatened, since the Democratic-Independent coalition will need only one additional vote to throw the balance of power in its favor.

The proportional representation count was completed within four days after the election, with the vote transfers developing some exciting contests and a number of upsets. The new board of elections deserves credit for conducting what was generally admitted to be a careful, honest, and expeditious count of the ballots.

The factors making possible the changed personnel and the improved calibre of the council merit consideration. Three of these are outstanding: the proportional representation system of voting, the organized opposition to the machine rule of the G. O. P., and the voters' reaction to the councilmanic scandals and election frauds. In the opinion of the writer, there are at least a half dozen of the new councilmen who would not ordinarily be supported by the regular party organizations and whose candidacies and elections were made possible by proportional representation.

The constant publicity concerning the playground and other scandals involving prominent Republicans regulars, as well as the election frauds, hurt many of the G. O. P. candidates. The recent capture of H. G. Atwater, implicated in the playground deal that sent ex-Councilman L. G. Schooley to the state penitentiary for five years, resulted in the indictment of City Clerk Fred W. Thomas, prominent in Republican organization politics, and Councilman W. E. Potter, another well-known Republican regular. Another pre-election event was the conviction of six more election booth officials for frauds that occurred in the August, 1928, primaries. These events served to renew the memory of the earlier scandals and of the type of politics the Republican leaders were excusing and defending.

However, the most significant event was probably the formation of the non partisan Progressive Government Committee. This committee, after its successful defense of the city manager charter in August of this year, put up a complete slate of candidates for council. It had a working agreement with the re-vitalized Democratic party and endorsed fourteen of its candidates and two on the Republican slate. Twelve of the Progressive Government Committee's endorsees were elected. It is not certain at this writing whether this committee will become permanent as is the case in Cincinnati and Kansas City. It was the first organized attempt to strengthen the operation of the manager plan by working for an able and sympathetic council. To date, at least, this committee has been instrumental in turning back the recent attempt to repeal the manager charter and in changing the council personnel for the better.

There are rumors to the effect that both party leaders, Maurice Maschke and W. Burr Gongwer, may resign. City Manager Hopkins seems to have broken definitely with Maschke and has hinted that he may resign. The new council will have a strong anti-Hopkins faction led by the Republican regulars anxious to remove him from office. Peter Witt has indicated a willingness to lead a new movement to repeal the manager charter and also to reform the Democratic party. Present events indicate lively times ahead in local politics.

RANDOLPH O. HUUS.

New York to Keep Walker for Four Years More.—New York City's mayorality election furnished little surprise. The amiable Jimmy Walker snowed under his Italian-American opponent to the tune of 497,155, the largest plurality yet attained by Tammany. Nor was there surprise in the 174,931 polled by Norman Thomas, last year's Socialist candidate for President. Though the Socialist vote reached double its normal mark, doubtless due to Thomas' strength, his own vote was almost twice this, or four times the Socialist par. This additional vote came from high-class districts in many of which Thomas ran six times stronger than his ticket.

La Guardia brought Italian votes to his ticket. It is possible to show that the straight Republican vote in certain districts exceeded the Hoover vote of last year. He also received some 20,000 votes which his ticket failed to get, all in Italian neighborhoods. On the other hand, there were some 42,500 votes for his ticket which were withheld from him, causing him to finish 22,500 net behind his running mates. The figures indicate that this loss went largely to Thomas. Walker likewise finished 25,000 behind his team-mates, which accounts for the remainder of Thomas' vote. Mr. Enright, Mayor Hylan's dauntless police commissioner, also ran for a 5,900 gross.

The La Guardia fiasco bears many tempting analogies to the Smith campaign of last year. In each the minority, "rough-neck" element demanded of their minority party, which is normally content to lose with a dignified stuffed-shirt, a chance to carry the party banner. In each instance the strategy, if strategy it could be called, rested on the theory that the racial or class following of the candidate added to the normal party vote spelt victory, and in each instance the latter ran out leaving the candidate and his followers high and dry. Even the tactics with which the "ins" met the unusual attack are reminiscent of last year. They suggest the old rule, "when the other fellow's got the goods, stand on your dignity." La Guardia and Smith both found themselves frustrated by their opponents' refusal to discuss issues with them. And finally in each instance the dénouement finds the minority party bankrupt not only financially—for in both cases the candidates appear to have spent three times as much as they were able to raise—but bankrupt of leadership and hope for the future as well.

This tidal wave has left the Republicans with but four aldermen of the city's board of sixty-five. The quartette consists of two Negroes from Harlem, an Italian from the uptown Little Italy, and a banker from the blue-blooded "Fifteenth," a very upstage sort of person. All of these are from Manhattan. In the new board there will not be a single Republican member from any of the other four boroughs. There is one other noteworthy personal triumph. George U. Harvey, slayer of the sewer dragon, was again elected as president of the Borough of Queens with a seat on the board of estimate. His election is certain to spell the doom of the Republican boss of Queens who fought him tooth and nail in the primaries and will now be without a single shred of patronage unless Washington comes to his rescue.

Indeed, everything points to a general Republican house-cleaning and renovation which will probably eliminate Sam Koenig and Jake Livingston who, with DeBragga of Queens, have ruled the roost for twenty years. And while the Republicans are thus engaged it might not be amiss for the Socialists and the civic organizations of the city to take counsel with themselves or with each other as to what might be done to establish a vigorous, intelligent, and independent opposition party in the city.

JOSEPH MCGOLDRICK.

Boston Again Proves Faithful to Curley.—According to the Boston charter, no mayor is allowed to succeed himself. On leaving office in 1925, Mayor James M. Curley began at once to perfect his plans for the campaign in 1929. Probably his most popular move was his effort in behalf of Governor Smith in the national election of 1928. When the latter carried the city of Boston by a plurality of nearly 100,000, Mr. Curley claimed the lion's share of the credit.

So strong was Mr. Curley's groundwork for the city election that no candidate seemed willing to oppose him. Finally a week before the closing date for filing nomination papers, Frederick W. Mansfield, president of the Massachusetts Bar Association, also a Democrat, was persuaded to enter the fight. He was promptly endorsed by the Good Government Association. A third candidate, Daniel H. Coakley, a disbarred attorney, also declared his candidacy.

At the outset it was conceded that Mr. Mansfield stood little chance of election. Campaign buttons were given out by the Democratic City Committee bearing the slogan, "Vote for James M. Curley, Al Smith's friend." Mr. Curley had apparently limitless funds at his disposal for advertising purposes, and the most energetic billboard and radio campaign ever staged in this city was carried on in his behalf.

Mr. Mansfield's campaign was necessarily more modest in proportions, and was directed primarily to attract Democratic support, under the slogan, "Hasn't Curley had enough?" It was felt that the natural antagonism towards Mr. Curley on the part of Republicans as well as the endorsement of the Good Government Association would be sufficient to attract Republicans to Mr. Mansfield's banner.

Two "breaks" in the campaign materially assisted Mr. Mansfield. Three weeks before election day the nomination papers of all three candidates were protested. A hearing was held before the Ballot Law Commission, which is composed of the four election commissioners and the chief justice of the municipal court, sitting as chairman of the commission. Evidence was submitted by Mr. Curley's representative to show that twenty names on Mr. Mansfield's papers were invalid; then Mr. Curley withdrew his protest, and asked to read a statement, explaining his action. The Ballot Law Commission, after reading the statement, decided it was irrelevant, and excluded it from the hearing. In defiance of the chief justice and the commission,

Mr. Curley commanded that it be read, and the hearing broke up in a near riot. This defiance of the commission, needless to say, materially assisted Mr. Mansfield.

The second "break" was a scathing and unwarranted attack by Mr. Curley on Mrs. Jennie Loitman Barron on election eve. As a member of the school committee, Mrs. Barron had a considerable following throughout the city, particularly among the women voters.

In spite of these two "breaks," Mr. Curley's careful preparation for the campaign over a period of four years and his great personal popularity turned out to be the deciding factors. The result was:

James M. Curley.....	116,463
Frederick W. Mansfield	96,946
Daniel H. Coakley.....	2,868

Although defeated, Mr. Mansfield polled a larger vote than any candidate for mayor in any previous election in this city.

L. O. Pratt.

*

Detroit Elects Bowles.—Charles Bowl s, lawyer, aged 46, a new and untried executiv , was elected mayor of Detroit, November 5, defeating ex-Mayor John W. Smith by margin of 8,500 votes in a total of 252,465. It was Bowles' third attempt, and his third contest aga'nst Smith, who beat him in 1924 and again in 1925. After the primary vote, October 8, in which Mayor Lodge ran third, the campaign waxed hot, with personalities and side issues multiplied toward its close. Bowles attacked Smith's mayoralty record, and daily reminded voters of Smith's connection with a Windsor race track "gambling" outfit; he also recalled Smith's statements ridiculing the eighteenth amendment.

A major issue was that of law enforcement against blind pigs and gamblers. Bowles promised to discharge Police Commissioner Rutledge, an appointee of Smith during his previous term, and this question swayed a large proportion of Protestant church leaders, besides women who demanded a closer lid on the town. Compared with Mayor Lodge, a proved expert in municipal affairs, and Smith, who had shown some initiative as mayor, Bowles is of the judicial type, having served till recently as judge of the municipal court. The question now raised is whether he will be, as promised, "a man of action." His chief strength thus far has been as a vigorous campaigner and a man of manifest honesty, sincerity, and clean life.

A basic factor hardly mentioned in the campaign was the county and state political complex behind Bowles and Smith, each being supported by Republican party factions interested in the wider field of state patronage and control as contrasted with Lodge, who was clearly nonpolitical, and who, as in 1927, made no campaign for the nomination. Governor Green is supposed to have won a personal, political victory in the election of Bowles, though what it may amount to will depend on the new mayor's course.

Detroit's excellent election system was maintained, clean and accurate, by reëlection of City Clerk Reading. More significant was the reelection of eight of the nine city councilmen; a campaign of attack against the council had been waged by the Detroit *Free Press*, whereas the voters evidently agreed with the Detroit Citizens' League that the council was worthy of reëlection. The *Free Press* also supported Smith, while Bowles had no newspaper support, and the Citizens' League made no recommendation on the mayoralty after the primary.

W. P. Lovett.

*

The Buffalo Election.—Buffalo's "happy warrior," Frank X. Schwab, mayor for the past eight years, went down to defeat in a closely contested but uninteresting election in Buffalo on November 5. It was the first mayoralty contest under the new city charter adopted two years ago, Mayor Schwab having held over for the balance of an unexpired term.

Mayor Schwab entered his name in the primaries of both Republican and Democratic parties last September. Himself a staunch Republican, he hoped to capture the Republican nomination even though he failed to secure the endorsement of the Republican executive committee. He received in the primaries only 19,000 Republican votes to his opponent's 46,000, but he surprised even his close friends by winning the Democratic nomination. The Democratic organization, smarting under the humiliation of having an acknowledged but repudiated Republican at the head of their ticket, offered him little support in the final campaign.

Charles E. Roesch, organization candidate on the Republican ticket, who finally emerged as winner, conducted a dignified campaign, stressing the heavy tax burden and promising an economical, businesslike administration. Mayor

Schwab vigorously defended his past administrations, repeatedly challenged his opponent to debate the tax issue publicly (the challenges were ignored), and hurled broadsides at "Boss Bradley," chairman af the Republican organization.

Frank C. Perkins, president of the council, was a candidate on the Socialist ticket. The Buffalo Municipal Research Bureau participated actively in the campaign, emphasizing the "issues of good government" that were at stake, no matter who was elected. The campaign as a whole lacked spirit and enthusiasm. Of the 155,000 votes cast, Mr. Roesch received 77,000, Mayor Schwab 70,000, and Mr. Perkins about 8,000.

Thus passes, temporarily at least, the most colorful and picturesque figure that ever occupied the mayor's chair in Buffalo, and Mayor-elect Roesch will enter office as the recipient of greater powers and responsibilities than any of his predecessors ever enjoyed.

HARRY H. FREEMAN.

*

Voting Machines Adopted in Pennsylvania.—Voting machines, for which the friends of clean and honest elections have fought for more than a decade, will soon be an actuality in Pennsylvania. In the election on November 5 the people in nine counties of Pennsylvania and in sections of twelve other counties determined to replace the present paper-ballot system with voting machines. Inasmuch as the law requires the county commissioners to proceed immediately to the purchase of machines with the proviso that unless they do so within a year the secretary of the commonwealth will execute the contract and send the bill to the county, it is quite likely that voting machines will be in operation in different parts of Pennsylvania before the end of next year.

In the late election voting machines were authorized by the people in referenda in Philadelphia, Pittsburgh, and the so-called hard-coal regions of which the city of Scranton is the center. It is from these sources that much of the corruption and false counts which have discredited Pennsylvania's elections have come, so that there is now the definite promise that elections in the "Keystone" state will be more nearly a correct register of the people's will.

The nine counties which adopted voting machines for the whole of the county are: Allegheny, Cambria, Delaware, Erie, Fayette, Luzerne, Lackawanna, Philadelphia, and Schuylkill. The cities, boroughs, and townships in the twelve other counties which adopted voting machines are Philipsburg, Dubois, New Cumberland, East Pennsboro, Brookville, Lancaster, Elizabethtown, Allentown, Bethlehem, Sharon, Grove City, Farrell, Greenville, Sharpsville, Burnham, Barrett, Sunbury, Northumberland, Shamokin, Mount Carmel, Meyersdale, and Warren.

The adoption of voting machines by this comparatively considerable number of smaller units was somewhat in the nature of a surprise. More than half of the population of Pennsylvania, through their voting representatives, ordered the installation of voting machines.

The campaign in Philadelphia was led by the Committee of Seventy of which Thomas Raeburn White, for more than a quarter of a century a leader in public affairs in Philadelphia, is chairman. Throughout the state the campaign was led by the Pennsylvania Elections Association, a state-wide organization originally inspired by the ideals of the Committee of Seventy. Franklin N. Brewer of Delaware County is president of the state association, while Mr. White is one of the vice presidents.

It is an interesting fact that the late election was the culmination of a campaign in which no time was lost so far as official procedures were concerned. The necessary constitutional amendment was first introduced in the special legislative assembly in 1926 and was passed through that assembly and the assembly of 1927. In the fall of 1928 the amendment was made part of the constitution by a popular vote. In the 1929 assembly enabling legislation, drafted under the supervision of Mr. White and placed on Governor Fisher's legislative program, was passed and then came the late election.

THOMAS J. WALKER.

National Municipal Review

Vol. XVIII, No. 1 January, 1929 Total No. 151

18
1929

CONTENTS

EDITORIAL COMMENT ..... *Russell Forbes*
WANTED: A MEASURING STICK FOR SCHOOL SYSTEMS ..... *Luther Gulick*
A WET BLANKET ON THE COUNTY MANAGER PLAN ..... *Kirk H. Porter*
IMPROVING COUNTY GOVERNMENT IN NORTH CAROLINA ..... *Paul W. Wager*
OUR AMERICAN MAYORS:
XIV. JOHN C. LODGE OF DETROIT ..... *W. P. Lovett*
PUBLIC EMPLOYMENT MANAGEMENT IN THE AUSTRALIAN STATES ... *W. E. Mosher*
APPRAISING MUNICIPAL REPORTS ..... *C. E. Ridley*
THE INITIATIVE, REFERENDUM, AND RECALL IN GERMAN CITIES ... *Roger H. Wells*
RECENT BOOKS REVIEWED
JUDICIAL DECISIONS ..... *C. W. Tooke*
PUBLIC UTILITIES ..... *John Bauer*
GOVERNMENTAL RESEARCH ASSOCIATION NOTES ..... *Russell Forbes*
MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*
NOTES AND EVENTS ..... *Welles A. Gray*

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National Municipal Review

Vol. XVIII, No. 2 February, 1929 Total No. 152

CONTENTS

Editorial Comment ..... *H. W. Dodds*
What P. R. Has Done for Cincinnati ..... *Henry Bentley*
Our American Mayors:
XV. Murray Seasongood of Cincinnati ..... *Russell Wilson*
Public Operation Versus State Regulation:
Two Hydro-Electric Systems Compared ..... *James Malcolm*
Balancing Prevention with Fighting within
the Fire Department ..... *Harold A. Stone*
The Assessment of Real Estate and Buildings
in Rochester, N. Y. ..... *Hazen C. Pratt*
A Rejoinder on the Relation of Building Height
to Street Traffic ..... *Ernest P. Goodrich*
The Board of Estimate and Apportionment of New York City —
A Supplement ..... *Joseph McGoldrick*
Recent Books Reviewed
Judicial Decisions ..... *C. W. Tooke*
Public Utilities ..... *John Bauer*
Municipal Activities Abroad ..... *W. E. Mosher*
Governmental Research Association Notes ..... *Russell Forbes*
American Municipal Association Notes ..... *John G. Stutz*
Notes and Events ..... *H. W. Dodds*

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National Municipal Review

Vol. XVIII, No. 3 March, 1929 Total No. 153

CONTENTS

EDITORIAL COMMENT ..... *H. W. Dodds*

ORDER FOR CHAOS IN TRAFFIC SIGNALS ..... *William B. Powell*

MUNICIPAL GOVERNMENT AND THE NEWSPAPER ..... *Victor Rosewater*

OUR AMERICAN MAYORS:
XVI. JAMES ROLPH, JR., OF SAN FRANCISCO ..... *William M. Hines*

NEW YORK CITY'S INCOME ..... *Luther Gulick*

RELATION OF BUILDING HEIGHT TO STREET TRAFFIC —
A REPLY ..... *Herbert D. Simpson*

ESSENTIALS OF AN EFFECTIVE FIRE PREVENTION BUREAU ..... *Harold A. Stone*

FIVE YEARS OF CITY MANAGER GOVERNMENT IN CLEVELAND —
A SUPPLEMENT ..... *Citizens League of Cleveland*

RECENT BOOKS REVIEWED

JUDICIAL DECISIONS ..... *C. W. Tooke*

PUBLIC UTILITIES ..... *John Bauer*

MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*

GOVERNMENTAL RESEARCH ASSOCIATION NOTES ..... *Russell Forbes*

NOTES AND EVENTS ..... *H. W. Dodds*

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Municipal Activities Abroad

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National Municipal Review

Vol. XVIII, No. 4 April, 1929 Total No. 154

CONTENTS

EDITORIAL COMMENT ..... *H. W. Dodds*

IN-JUSTICES OF THE PEACE ..... *J. W. Manning*

POLICE COURT JUSTICE IN ENGLAND ..... *Herbert Harley*

HOW CINCINNATI'S NEW GOVERNMENT IS IMPROVING CIVIL SERVICE MORALE ..... *R. O. Beckman*

THE MANAGER PLAN APPROPRIATE FOR COUNTIES ..... *Rowland A. Egger*

SAN FRANCISCO'S SUCCESS WITH VOLUNTARY REPLATTING AS AN AID TO CITY PLANNING ..... *M. M. O'Shaughnessy and Philip H. Cornick*

OHIO APPRAISES ITS REORGANIZED STATE GOVERNMENT ..... *Harvey Walker*

HIGH SPOTS OF GOVERNORS' MESSAGES ..... *Ralph S. Boots*

RECENT BOOKS REVIEWED

JUDICIAL DECISIONS ..... *C. W. Tooke*

PUBLIC UTILITIES ..... *John Bauer*

MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*

GOVERNMENTAL RESEARCH ASSOCIATION NOTES ..... *Russell Forbes*

NOTES AND EVENTS ..... *H. W. Dodds*

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National Municipal Review

Vol. XVIII, No. 5 May, 1929 Total No. 155

CONTENTS

Editorial Comment ..... *H. W. Dodds*
The Cork City Manager Plan — An Irish Experiment ..... *John J. Horgan*
Election Frauds and Councilmanic Scandals Stir Cleveland ..... *R. O. Huus and D. I. Cline*
Election Frauds in Philadelphia ..... *Maynard C. Krueger*
New Local Government Reforms in England ..... *William A. Robson*
New York Multiple Dwelling Law ..... *Lawson Purdy*
A North Jersey Metropolitan District ..... *Philip H. Cornick*
Both Sides Win — Worcester Electric Rate Case ..... *John Bauer*
Special Municipal Corporations ..... *F. H. Guild*
Recent Books Reviewed
Judicial Decisions ..... *C. W. Tooke*
Public Utilities ..... *John Bauer*
Municipal Activities Abroad ..... *W. E. Mosher*
Governmental Research Association Notes ..... *Russell Forbes*
American Municipal Association Notes ..... *John G. Stutz*
Notes and Events ..... *H. W. Dodds*

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RUSSELL FORBES
Governmental Research Association Notes

W. E. MOSHER
Municipal Activities Abroad

C. W. TOOKE
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National Municipal Review

Vol. XVIII, No. 6 June, 1929 Total No. 156

CONTENTS

Editorial Comment ..... *H. W. Dodds*
Barber Shop Opinion and Rapid Transit in Detroit ..... *Howard P. Jones*
Politics in New York City Schools ..... *H. W. Marsh*
Scapa Helps Scrap Billboards ..... *Harold A. Caparn*
How to Eliminate Traffic from Downtown Sections
V. R. Stirling and Rensselaer H. Toll
Chicago's Superhighway Plan ..... *Eugene S. Taylor*
Our American Mayors
XVII. Charles S. Ashley of New Bedford ..... *B. Frank Michelsen*
Charleston Port Development Under Public Ownership ..... *J. Russell Wait*
Taxation in the Proposed Metropolitan Government of Pittsburgh
Thomas H. Reed
The Bonded Debt of 241 Cities as at January 1, 1929 ..... *C. E. Rightor*
Recent Books Reviewed
Judicial Decisions ..... *C. W. Tooke*
Public Utilities ..... *John Bauer*
Municipal Activities Abroad ..... *W. E. Mosher*
Governmental Research Association Notes ..... *Russell Forbes*
Notes and Events ..... *H. W. Dodds*

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Public Utilities

RUSSELL FORBES
Governmental Research Association Notes

W. E. MOSHER
Municipal Activities Abroad

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National Municipal Review

Vol. XVIII, No. 7 July, 1929 Total No. 157

CONTENTS

EDITORIAL COMMENT ..... *H. W. Dodds*
THE NEW YORK REGIONAL PLAN AN ACCOMPLISHED FACT ..... *Arthur C. Comey*
THE LOS ANGELES MUNICIPAL EXHIBIT ..... *Roy A. Knox*
CONNECTICUT JUDICIAL COUNCIL REPORTS ..... *Lane W. Lancaster*
THE EXTRA-MUNICIPAL ADMINISTRATION OF RADBURN ..... *Charles S. Ascher*
GLASGOW THE PRACTICAL ..... *Harlean James*
CONSOLIDATION OF NEW YORK CITY HOSPITALS ..... *Carl E. McCombs*
KANSAS CITY STUDIES ITS POLICE DEPARTMENT ..... *Walter Matscheck*
THE O'FALLON CASE—THE DECISION AND WHAT IT PORTENDS ..... *John Bauer*
PROGRESS TOWARD METROPOLITAN GOVERNMENT IN CLEVELAND AND CUYAHOGA COUNTY ..... *Leyton E. Carter*
RECENT BOOKS REVIEWED
JUDICIAL DECISIONS ..... *C. W. Tooke*
PUBLIC UTILITIES ..... *John Bauer*
MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*
GOVERNMENTAL RESEARCH ASSOCIATION NOTES ..... *Russell Forbes*
NOTES AND EVENTS ..... *H. W. Dodds*

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Public Utilities

RUSSELL FORBES
Governmental Research Association Notes

W. E. MOSHER
Municipal Activities Abroad

C. W. TOOKE
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National Municipal Review

Vol. XVIII, No. 8 August, 1929 Total No. 158

CONTENTS

Editorial Comment ..... *H. W. Dodds*

St. Paul Cleans Up Its Welfare Administration ..... *Herbert Lefkovitz*

Where City Planning and Housing Meet ..... *Harold S. Buttenheim*

The English General Election of 1929 ..... *James K. Pollock, Jr.*

Special Police Patrol in Portland, Oregon ..... *Charles McKinley*

A New Remedy for Civitosis ..... *Graham Aldis*

The Growing Transport Problem of the Masses ..... *J. Rowland Bibbins*

Schenectady's Long-Term Financial Program ..... *Harold I. Baumes*

Cincinnati's City Workhouse ..... *C. O. Sherrill*

Voters Turn Thumbs Down on Pittsburgh's Metropolitan Charter *Martin L. Faust*

Recent Books Reviewed

Governmental Research Association Notes ..... *Russell Forbes*

Notes and Events ..... *H. W. Dodds*

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National Municipal Review

Vol. XVIII, No. 9 September, 1929 Total No. 159

CONTENTS

Editorial Comment ..... *H. W. Dodds*

Our American Mayors
XVIII. Daniel W. Hoan of Milwaukee ..... *Joseph P. Harris*

Local Taxation — Recent Changes in England and Wales ..... *I. G. Gibbon*

Utilizing Manhattan's Present Traffic Facilities ..... *John J. Quigley*

Forecasting City Growth ..... *J. Rowland Bibbins*

Where Does Legislation Originate? ..... *Harvey Walker*

Movies Socialized for Town's Benefit ..... *C. C. Bayard*

The Prosecuting Attorney in Ohio — An Obsolete Officer ... *W. E. Binkley*

Detroit's "Barber Shop" Vote — A Reply to Mr. Jones ... *William P. Lovett*

Add Professional Publicity Official to List of Municipal Executives
Howard P. Jones

Recent Books Reviewed

Public Utilities ..... *John Bauer*

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Vol. XVIII, No. 10 October, 1929 Total No. 160

CONTENTS

EDITORIAL COMMENT ..... *H. W. Dodds*
CLEVELAND AGAIN DEFEATS ATTACK ON CITY MANAGER CHARTER ... *Mayo Fesler*
THE PITTSBURGH CONSOLIDATION CHARTER ..... *Joseph T. Miller*
NATIONAL PARTIES IN MUNICIPAL POLITICS ..... *O. Garfield Jones*
THE NEW ILLINOIS GAS TAX LAW ..... *James W. Martin*
POOR LAW REFORM IN NEW YORK STATE ..... *Elsie M. Bond*
PERMANENT REGISTRATION FOR VOTING IN GERMAN CITIES ..... *Roger H. Wells*
REGIONAL VARIATION IN MUNICIPAL BORROWING RATES ..... *Earl L. Moser*
THE MUNICIPAL ASSEMBLY — NEW YORK'S HOME RULE LEGISLATURE *Russell Forbes*
RECENT BOOKS REVIEWED
JUDICIAL DECISIONS ..... *C. W. Tooke*
PUBLIC UTILITIES ..... *John Bauer*
MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*
GOVERNMENTAL RESEARCH ASSOCIATION NOTES ..... *Russell Forbes*
NOTES AND EVENTS ..... *H. W. Dodds*

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National Municipal Review

Vol. XVIII, No. 11 November, 1929 Total No. 161

SPECIAL CONVENTION NUMBER
35th ANNUAL MEETING, NATIONAL MUNICIPAL LEAGUE
CHICAGO, NOVEMBER 12-14

CONTENTS

EDITORIAL COMMENT ..... *H. W. Dodds*
THWARTING OFFICIAL CRIME AND CORRUPTION IN CHICAGO ..... *Albert R. Brunker*
CHICAGO'S PERSISTENT TRACTION PROBLEM ..... *Paul H. Douglas*
HOW CHICAGO AWOKE TO NEED FOR HONEST ASSESSMENTS ..... *George O. Fairweather*
THE REASSESSMENT OF REAL ESTATE IN COOK COUNTY ..... *John O. Rees*
THE MERIT SYSTEM IN CHICAGO AND COOK COUNTY ..... *Edwin O. Griffenhagen*
SIMPLIFICATION OF GOVERNMENT IN METROPOLITAN CHICAGO ..... *J. L. Jacobs*
WINNETKA, THE MODEL VILLAGE ..... *Mrs. B. F. Langworthy*

RECENT BOOKS REVIEWED
JUDICIAL DECISIONS ..... *C. W. Tooke*
PUBLIC UTILITIES ..... *John Bauer*
MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*
GOVERNMENTAL RESEARCH ASSOCIATION NOTES ..... *Russell Forbes*
NOTES AND EVENTS ..... *H. W. Dodds*

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Vol. XVIII, No. 12 December, 1929 Total No. 162

CONTENTS

EDITORIAL COMMENT ..... *H. W. Dodds*

MUNICIPAL GOVERNMENT IN SOVIET RUSSIA
I. BEFORE AND DURING THE REVOLUTION ..... *Bertram W. Maxwell*

WISCONSIN "UNSHACKLES" HER CITIES ..... *Vincent Lynagh*

ZONING CAN HELP THE FARMER ..... *George B. Ford*

THE DEMOCRATIC PARTY IN MAINE ..... *Lane W. Lancaster*

PITTSBURGH REËLECTS MAYOR KLINE ..... *Ralph S. Boots*

COMPARATIVE TAX RATES OF 235 CITIES, 1929 ..... *C. E. Rightor*

RECENT BOOKS REVIEWED

JUDICIAL DECISIONS ..... *C. W. Tooke*

PUBLIC UTILITIES ..... *John Bauer*

MUNICIPAL ACTIVITIES ABROAD ..... *W. E. Mosher*

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